

**ORISSA
UNDER THE
BRITISH CROWN
1858-1905**

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Introduction

The British conquered Orissa in 1803, nearly half a century after the conquest of Bengal. The conquered territory contained mainly the three districts of Balasore, Cuttack and Puri. The areas which constitute modern Orissa, besides the above noted three districts, were scattered under different political jurisdictions. The major part of those areas remained under a number of small chiefs who ruled in their inaccessible areas but acknowledged British suzerainty.

The districts which came to be regarded as Orissa proper were under the Marathas for a long time. The Maratha administration constituted rather a sad chapter in the history of Orissa. They, no doubt, paid attention to a few public works, but, in general, it was the oppression and exactions which caused great hardship to the people. When Maratha rule ended, the condition of Orissa was deplorable.

Unfortunately, the East India Company looked at their newly acquired territory either as an administrative appanage of Bengal or just a territorial bridge between Bengal and Madras. Perhaps no other part of British India received so scant an attention from the Government of East India Company as Orissa. The Company's rule covered fifty-five years. It resulted in consistent deterioration in the material condition of the people. It may be said to the credit of the Company that peace and order were ensured during the period, with the exception of the Paik Rebellion of 1817, but on the other hand, peace did not bring any orderly development of the society. It seems, as if, the Company ruled Orissa solely for the purpose of revenue.

But in the field of revenue administration Orissa tasted

bitter experiences. The Company experimented temporary settlements which resulted in periodic uncertainties. Agriculture suffered as the farmer in order to escape revenue enhancement neglected cultivation before settlement operations. On the whole, land revenue experiments in Orissa became one of the main causes of the growth of extreme poverty of the people. To sum up the Company's rule, it can be pointed out that while Company carried away 38 lakhs of rupees per year on an average by way of taxes, the development of education, means of communication, of irrigation works and industries were almost completely neglected.¹ Thus the 1st phase of the British rule in Orissa ended in neither material nor moral progress.

The Company's rule ended with the Revolt of 1857. With the transfer of Power to the Crown, the nature and content of administration did not change for the better abruptly. The legacies of the old system continued till a culminating tragedy occurred. The Orissa Famine of 1866 may be regarded as the epitome of the Company's unsympathetic administration. Though the Government after 1858 tried to pay greater attention to Orissa than before, yet the attention was too inadequate compared to what it was in other parts of India.

It is that famine which brought upon the Crown's Government a new sense of realisation. Orissa had no roads, no railways, no navigable canals and the district administration remained quite indifferent to the real problems of the people. Orissa's comparative calmness and the apathetical attitude of the people did not call for urgent Government attention.

But the Famine of 1866, one of greatest in India's history, exposed inherent defects of the British administration in Orissa. Government, therefore, had to reorient its policy. In most branches of administration, a process of evaluation was marked and some improvement was effected.

The Crown's administration covered nearly 90 years. This thesis covers about the first fifty years of that period. The significance of the period lies in the consolidation of the

1. K.C. Patra, *Orissa under the East India Company*, p. 324.

British administration in Orissa. After 1905, Orissa entered into the main stream of India's national life. Two main features which became conspicuous after 1905 were, first, the Utkal Union Movement for the unification of all Oriya speaking areas and secondly, the National Movement for freedom. The British administrative innovations after 1905 were influenced by those two movements. The real structure of administration, however, continued as before. In the evolution of modern Orissa, the first fifty years of the Crown's rule formed an important epoch. The growth of education, development of communication and general administrative improvements brought about considerable change in the static character of the people. Though poverty continued to grow, yet consciousness could be marked as growing. The emergence of both Oriya Movement and the National Movement in the opening years of the 20th century was the outcome of the administrative and educational development of the preceding decades.

The purpose of this thesis is to discuss the British administration of Orissa from 1858 to 1905. The period covered is, in fact, the most significant period from administrative point of view. The neglected Orissa was brought into general administrative framework as prevailing elsewhere. Unfortunately, an administrative history of British Orissa is still a desideratum. A recent thesis of Dr. K. M. Patra published by Munshiram Manoharlal, New Delhi 1971, deals with Administration of Orissa under the East India Company. But no work has so far been attempted on the administration under the Crown. Sir William Wilson Hunter who visited Orissa in 1870 and wrote the history of Orissa in two volumes allotted a single chapter in his second volume under the heading "The English as Settlers and Governors in Orissa (1635-1871)" to describe the British administration of Orissa, which, according to John Beames, contained 'many inaccuracies'.² Among others who followed Hunter notably, L. S. S. O'Malley, R. D. Banerjee, H. K. Mahtab, and P. Mukherjee, have not thrown much light on this subject. While a good deal of literature on administrative history is to be seen in case of many other states,

2. John Beames, *Memiors of Bengal Civilian*, p. 197.

Orissa suffers a lack of similar treatment from historians, past and present. This humble effort is a step in opening the hidden administrative policies and measures of the British during a very formative phase of Orissa's political history. Though the administration is wide enough to cover many aspects of life, it could not be possible to encompass all those aspects within the scope of a single thesis. Main administrative developments have been taken into consideration while such subjects as excise administration, trade policies, etc., have been omitted.

The thesis has been constructed primarily from original administrative papers of the period concerned. Most of such papers, in considerable number of volumes, were available in the State Archives of Orissa, Bhubaneswar, in the Library of the Board of Revenue, Cuttack, the State Archives of West Bengal, Calcutta and in the district record rooms of Balasore, Cuttack and Puri. The contemporary newspapers, journals and reports were consulted in the National Library of Calcutta, Kanika Library at Cuttack and Raghunandan Library at Puri. One chapter of the thesis deals with the British administrative relations with the Tributary Mahals. Some of the documents and papers relating to that chapter were consulted at the record rooms and libraries of some of the ex-states of Orissa. The original material utilised for writing the thesis may be said to have been adequate for the purpose.

I am very much indebted to Dr. M. N. Das, Professor and Head of the Department of History, Utkal University, Bhubaneswar, but for whose constant guidance and advice this work could never have been completed. I am grateful to Professor A. L. Basham, the Dean of Asian Civilization, the National University of Australia, Canberra, and Prof. O. P. Bhatnagar, the Retd. Prof. of History, University of Allahabad, Allahabad, for their valuable suggestions for improving this thesis. I must express my most sincere thanks to the librarians and archivists of the aforesaid Libraries and Archives for their great help and ungrudging assistance.

Abbreviations

BRP	.. Proceedings of the Lieutenant-Governor of Bengal, Revenue Department.
BRP (Land Revenue)	.. Proceedings of the Lieutenant-Governor of Bengal, Revenue Department (Land Revenue).
BRP (Salt)	.. Proceedings of the Lieutenant-Governor of Bengal, Revenue Department (Salt).
BRP (Misc. Revenue)	.. Proceedings of the Lieutenant-Governor of Bengal, Revenue Department (Misc. Revenue).
BFP (Salt)	.. Proceedings of the Lieutenant-Governor of Bengal, Financial Department (Salt).
BFP (Separate Revenue)	.. Proceedings of the Lieutenant-Governor of Bengal, Financial Department (Separate Revenue).
BJP (Police)	.. Proceedings of the Lieutenant-Governor of Bengal, Judicial Department (Police).
BJP (Political)	.. Proceedings of the Lieutenant-Governor of Bengal, Judicial Department (Political).
BGP (Political)	.. Proceedings of the Lieutenant-Governor of Bengal, General Department (Political).
BGP (Education)	.. Proceedings of the Lieutenant-Governor of Bengal, General Department (Education).
Land Revenue Report	.. Report on the Land Revenue Administration of the Lower Provinces.
Maddox Report	.. Final Report on the Survey and Settlement of the Province of Orissa, 1890-1900, by S.L. Maddox.
P. I. Report	.. General Report on Public Instruction in Bengal.
RAO	.. Annual General Administration Report of the Orissa Division.
RAB	.. Report on the Administration of Bengal (Bengal Presidency).
RCF	.. Report of the Commissioners appointed to enquire into the Famine in Bengal and Orissa.
RCP	.. Report of the Committee appointed by Government to consider the reforms of the Police of the Lower Provinces of Bengal.

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Rundall's Report .. Report on the Manufacturers of Salt and the system and Administration of Salt Revenue of the Balasore, Cuttack and Puri districts forming the Orissa Division of Bengal Presidency, 1883, by G. Rundall.

Salt Report .. Report on the Administration of the Salt Department.

Salt Report, Madras Presidency and Orissa .. Report on the Administration of the Department of Salt Revenue in the Madras Presidency and Orissa.

Selections .. Selections from the records of the Government of Bengal, Papers relating to the Orissa canals, 1869-1877 and 1881-1883.

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CHAPTER I

Famine of 1866

In 1866, Orissa was visited by a famine of most intense and desolating character. Its severity was so terrible that about a third of the population died.¹ The Famine Commission of 1866 remarked: "The famine in Orissa stands almost alone in this, that there was (till a comparatively late period of history) almost no importation, and the people, shut up in a narrow province between pathless jungles and an impracticable sea, were in the condition of passengers in a ship without provisions. Things came to that pass that money was spurned as worthless."² The ghastly nature of the famine displayed the serious defects in the Bengal administration, and lamentable neglect of the vital problem of the development of Orissa. This showed wide gulf which separated the foreign rulers from Indian subjects.

Causes

The main cause of the famine was the premature cessation of rain in 1865. The total quantity of the rainfall for the year 1865 was not unusually small. Much rain fell early in the season before the usual time of sowing while the latter rains, which were usually expected in the end of September and Octo-

1. C. E. Buckland, *Bengal under the Lieutenant-Governors*, Vol. I, p. 330.

2. RCF, 1866, Vol. I, p. 21.

ber, failed.³ That caused widespread damage to the rice crops and brought the famine.⁴

In order to understand the causes of the intensity of the famine, it is necessary to analyse the circumstances, bearing on the history of the event, at the time of the failure of the crop.

The waters of the rivers had not been turned to any considerable account for purposes of irrigation. The whole province was "without artificial irrigation whatever beyond that to be drawn in an unusual crisis of drought from natural water courses and the petty tanks and water lodgements of the country."⁵ The success of rice crop, therefore, depended solely on the supply of rain from above. The failure of the timely rainfall led to the total loss of rice crops which threatened the life of millions of people.

The whole province was geographically isolated from the rest of India. The one road which connected it with Calcutta passed over large unbridged rivers and was unmetalled. It was impracticable for wheeled traffic in the rainy season. When the rains were heavy, even pack-bullocks could not be used. The Famine Commission remarked: "At this day the European officer who cannot obtain a special steamer must find his way into the Orissa, slowly and tediously, as ancient officers may have travelled in the days of Asoka, and the very post takes several days between Calcutta and Cuttack."⁶ In the same season steamers could not land cargoes on its surf-beaten shore except in such small quantities as surf-boats could carry.⁷ Under these circumstances, if there was a failure of crops in the province, the absence of timely importation of food could be nothing but to invite deaths by starvation. This was what happened in Orissa in 1866.

In education, Orissa was extremely backward. In the

3. *Ibid*, pp. 16-17.

4. *Calcutta Review*, Vol. XLIV, 1867, "Orissa past and present".

5. RCF, Vol. I, p. 8.

6. *Ibid*, pp. 8-9.

7. L. S. S. O'Malley, *Bengal District Gazetteer* (Balasore), pp. 179-182.

whole province with an area of 52,995 square miles, and a population of 4,534,813, the schools and literate people could be counted by units. The schools of all grades numbered 77 with about 3,500 pupils. There was thus a general want of enlightened people, who could give practical information to the authorities about the prospect of a famine and insist on them for carrying out remedial measures.⁸

There were no European settlers and merchants in the interior of Orissa districts who might have seen the state of things and drawn early attention to it. There were mission stations at Cuttack and Balasore and also at Pipli and Jaleswar. At Cuttack the East India Irrigation Company had large establishments. They confined their warning chiefly to their correspondence with England.⁹

The entire system of administration was defective. The executive had little contact with the mass of the people and knew little about their material condition. Bengal was administered, according to the Commission, "judicially and not by executive power. The executive reigns but does not govern. It has little executive machinery and it may be said that it, on principle, avoids interference with the affairs of the mass of the people." It further stated that "the system of administration caused a defect of information and an unwillingness to take direct action on the part of the Government, which materially retarded measures of relief and which could not have occurred in any part of India."¹⁰

It was, no doubt, unfortunate that the 30 years' settlement was just expiring and no new arrangement had been made. The tendency of such a state of things was rather to contract than to extend the assessable area and cultivation. The result was that the agriculture received discouragement and the supply of produce was checked.¹¹

8. BGP (Education), June 1868, No. 60, Commissioner of Orissa to Government of Bengal, No. 523, 20 September, 1867.

9. RCF, Vol. I, paras 19-20.

10. *Ibid*, paras, 410-415.

11. *Ibid*, para 59.

The discontinuance of Government salt manufactures in 1863 threw about 26 thousand people out of employment. Many of them had small patches of land but not enough for their subsistence. They chiefly depended on working for others. It was certain that any calamity would throw them out of employment and out of food. Upon this class the utmost severity of the calamity of 1866 fell.¹²

The food stock in the country was very low at the time of the failure of crops in the month of October, 1865. This was both because the export had been usually brisk of late, and because the people had not been taught to protect themselves by retaining sufficient stores at home.¹³

The export trade of Orissa was considerable and averaged 20,000 tons of rice a year during the six years preceding 1865. The price of rice remained cheap as compared with most other provinces up to the end of the year 1864. Though the people themselves had not undertaken any large mercantile operations, their surplus grain had been sought by others for this reason. The surplus from the crop of 1864 had been carried off by the "energetic *Telingah 'Koomtees'* of the Madras territory who have scoured the country to buy up the grain and an enterprising French house (Messrs. Robert, Cherriol and Company) who have exported largely by way of False Point."¹⁴ The quantity exported was unusually large, viz., 33,000 tons, of which Balasore alone sent away 28,000 tons. This had, no doubt, depleted the stocks to a considerable extent.¹⁵

When crops failed in October 1865, the above factors must have added to the sufferings caused by the loss of crops. The history of the famine commencing from October, 1865, would show how the local officers and the Bengal Government, instead of undertaking effective remedial measures for relieving the

12. RCF, Vol. I, paras 49-50.

13. C. E. Buckland, *Bengal under the Lieutenant-Governor* Vol. I, p. 329.

14. RCF, Vol. I, para 47.

15. Report of the Indian Famine Commission, 1880, Part 1. p. 41.

distress of the people, aggravated it by not importing food in time and strictly adhering to the policy of laissez-faire or non-interference in dealing with food crisis. The result was that the factors already mentioned, coupled with total absence of timely importation, produced an appalling calamity. The Secretary of State, Sir Stafford Northcote, while reviewing the report of the Famine Commission, remarked: "I am reluctantly brought to the conclusion that though the melancholy loss of life which the Commissioners report may be due mainly to natural and inevitable causes, there has been a most unfortunate want of foresight and energy on the part of those who were charged with the administration of the province, where it occurred and that some grave errors of judgement have been committed."¹⁶

In order to trace the gradual rise, progress and decline of the famine, its history may be divided into mainly three phases, first phase between October 1865 and November 1865, when no attempt was made to make inquiries and ascertain what stocks existed, second phase between December 1865 and May 1866, when the adoption of the measures other than the importation of food to relieve the sufferings of the people led the province into widespread disaster, third phase from May 1866, when the food was imported to avert crisis.

1st Phase

In August 1865, rice was selling at the normal rate of 30 to 35 seers per rupee in Cuttack while in Puri it was as high as 18 seers. It was not till September 1865 that an alarm was felt about the rainfall. When the middle of October passed without rain, the alarm became very serious and when the 20th of that month elapsed, it developed into a countrywide panic. The rice trade was stopped and the country areas stopped supplying the towns. Both at Cuttack and Puri the bazaars were closed and everywhere the alarm and inconvenience were extreme. There were surely the symptoms of a famine and yet T. E. Ravenshaw, the Commissioner of Orissa, disregarded

16. BRP, No. 1153, September 1867, Despatch of the Secretary of State, No. 99, 25 July 1867.

them completely and wrote to the Bengal Government that the grain dealers had taken advantage of the prospect of a short supply to combine to raise their prices and cause a panic.¹⁷ The Bengal Government agreed with his opinion and desired him to be cautious not to interfere with the natural course of trade.¹⁸

Non-interference or laissez-faire was very popular and the idea of price control or even import of foodgrains through government agency was considered an undesirable interference with trade. A strict adherence to it at the time of Orissa famine proved a havoc.¹⁹ The Secretary of State remarked that the conclusions of political economy were true only when sound reasoning was correctly applied to well ascertained facts. In the present case the facts had not been ascertained. It was taken for granted that sufficient food would come out after the prices had risen. The argument of Government non-interference with supply and demand would have been just if the assumption upon which it rested had been true. Unhappily, assumptions were not true and reasoning proved fallacious.²⁰

The police authorities of Puri and Ramakoy Chatterjee, a Deputy Magistrate, gave a very gloomy account of things in October, speaking of "impending famine". In his first letter, Barlow, the Magistrate of Puri, said: "The account from the *mofussil* as regards present condition is deplorable, especially in the localities of Nubbah, Gope and around the edge of Chilka via Harridas and Boosoonpore, where it is stated that food is not altogether procurable, and the people are either living on roots or emigrating to Cuttaek and elsewhere."²¹ He, subsequently, reported the existence of extreme distress in

17. RCF, Vol. II (Appendix), p. 22, Commissioner of Orissa to Government of Bengal, No. 7A, 22 October, 1865.

18. *Ibid*, Government of Bengal to Commissioner of Orissa, No. 5969, 23 October, 1865.

19. Minute of Sir John Lawrence, 20 April, 1867.

20. BRP, September 1867, No. 153, Despatch of the Secretary of State, No. 99, 25 July, 1867.

21. RCF Vol. II (Appendix). p. 14, Magistrate of Puri to Commissioner of Orissa, 8 November 1865.

Malud and Parikud, two estates between the Chilika Lake and the sea. He recommended the importation of a ship load of grain to the Malud coast. The Commissioner did not support the recommendation, considering the duty of the zamindars to relieve the distress.²²

On 26 October 1865, Muspratt, the Collector of Balasore, forwarded a petition from certain zamindars praying for time to pay the revenue as the crops were ruined and the ryots could not pay their rents. He expressed the intention that he and his subordinates should visit the district "to examine what estates have suffered from the drought" and solicited favourable consideration to the petition.²³ T. E. Ravenshaw, the Commissioner of Orissa, recommended to the Board of Revenue the rejection of the petition, commenting, "the improvidence of the *ryots* is no reason why the zamindars should be exempted from payment on the proper date."²⁴ Board of Revenue rejected it as "inadmissible".²⁵ Thus was lost an opportunity of knowing the exact nature of the loss caused by the drought.

On 27 October 1865, Ravenshaw submitted to the Bengal Government a detailed report on the situation admitting that not only the people but even the cantonment authorities found great difficulty in procuring rice and he struck a confident note. "There is, no doubt, plenty of grain in the country, and I am confident that sooner or later it will find its way into the market. I have impressed on all who have applied to me the necessity of patience and entire non-interference with the natural course of trade, as the demand will certainly regulate the supply eventually....."²⁶ In the same letter he antici-

22. RCF, Vol. I. pp. 27-28.

23. *Ibid*, Vol. II (Appendix), p. 18, Collector of Balasore to Commissioner of Orissa, No. 217, 26 October 1867.

24. *Ibid*, p. 19, Commissioner of Orissa to Board of Revenue, No. 249, 30 October, 1865.

25. *Ibid*, p. 23, Board of Revenue to Commissioner of Orissa, 9 November 1865.

26. RCF. Vol. II (Appendix), pp. 24-25, Commissioner of Orissa to Government of Bengal, No. 407, 27 October 1865.

pated a half crop. Ravenshaw's confidence, so fundamentally at variance with actual facts, shows clearly that he was entirely out of touch with the needs of the masses. The Famine Commission rightly held that Ravenshaw's opinions "were rash and founded on wholly insufficient information. He was entirely new to the division, had never seen the district, and was not in a position to form confident opinions opposed to those which he received from Collectors who, in fact, themselves had as yet no sufficient opportunity of forming complete opinion."²⁷ Ravenshaw himself admitted: "Looking back I could wish that I had recommended general importation of grain for the whole province at an earlier date and that the indications of local distress at Puri had led me to anticipate general famine and to make earlier provisions for it. I also see that too sanguine hopes were entertained of the stocks of grain in the country and of their becoming generally available."²⁸

Towards the close of October 1865, the Collector of Balasore again reported regarding the stocks and markets, explaining that the merchants had no large stores in hand. He showed that last year's crop was carried by *Telingee* merchants from the South India, that the price rose in consequence, and this year *Telingee* vessels having arrived as usual were unable to obtain cargoes. He stated that though the rice was brought to market in small quantities, it was dear and obtained with difficulty.²⁹ The Commissioner replied: "This rise in price, so far as it goes, will have stopped export in very large quantity, and should the price rise higher than that at present, I have no doubt but that you will find grain being imported in place of exported." He warned him not to interfere with legitimate trade, either export or import.³⁰

On 31 October, 1865, the Bengal Government called for a

27. *Ibid*, Vol. I, p. 30.

28. BRP, September 1867, No. 35, Commissioner of Orissa to Board of Revenue, No. 523, 29 July, 1867.

29. RCF. Vol. II (Appendix), pp. 20-21, Collector of Balasore to Commissioner of Orissa, No. 221 $\frac{1}{4}$, 31 October, 1865.

30. *Ibid*, p. 21, Commissioner of Orissa to Collector of Balasore, No. 255 $\frac{1}{4}$, 3 November, 1865.

comprehensive report from the Board of Revenue on the situation "to mitigate the effects of present scarcity."³¹ On 6 November, Ravenshaw reported to the Bengal Government that in Puri greatest distress prevailed and rice was not procurable in the bazar.³² On 11 November, W. J. Money, the Collector of Cuttack, asked the orders of the Board of Revenue whether regular enquiries into losses by drought were to be instituted throughout the district with a view to the remission of revenue. He said that a large portion of the crop would come to nothing, and petitions for enquiry and remission were pouring in.³³

The Board of Revenue agreed with Ravenshaw's opinion³⁴ that it was not necessary to make any such general enquiry into losses by drought, as such enquiries tended to raise expectations, which not being realised, must result in discontent and disaffection.³⁵ The Board, therefore, ordered that no remission should be granted. The Famine Commission pointed out that the Board of Revenue were not justified in passing the decided order.³⁶ A large enquiry into the loss of crops would have greatly helped to correct the Commissioner's sanguine view but the Board by putting a stop to this enquiry lost the opportunity of having accurate information about the ravages of famine and of ascertaining what stocks existed. Thus, a great mistake was committed in dealing with the famine at an early stage.³⁷

On 3 November, 1865, Messrs Gisborne and Co. of Calcutta strongly urged the Government to import and store grain to

31. *Ibid.*, p. 26, Government of Bengal to Board of Revenue, No. 6227, 31, October, 1865.

32.. *Ibid.* p.27, Commissioner of Orissa to Government of Bengal, No. 449, 6 November, 1865.

33. *Ibid.*, p. 29, Collector of Cuttack to Commissioner of Orissa, No. 201, 11 November, 1865.

34. *Ibid.*, p. 30, Commissioner of Orissa to Board of Revenue, No. 470, 13 November, 1865.

35. *Ibid.*, Board of Revenue to Commissioner of Orissa, No. 144A, 21 November, 1865.

36. RCF, Vol. I, p. 36.

37. L.S.S. O'Malley, History of Bengal, Bihar and Orissa under British rule, p. 444,

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meet the impending famine.³⁸ The Board of Revenue rejected the proposal as they held that the extent of calamity had been considerably exaggerated in the firm's letter. The Board thought that there would be suffering but no famine. They were strongly opposed to the policy of Government undertaking the duty of purchasing and storing grain. They held that the Government could not "under any circumstances, interfere with the course of trade or take upon themselves the duty of traders without doing positive mischief." The Board added that if the Government were to attempt "a huge monopoly of this kind, the operation of ordinary traders would be paralysed and an infinitely inferior agency substituted."³⁹

Although the crop did not ordinarily fully ripen till December, the Board made their report on 25 November, on information scarcely extending to the middle of that month. That information was "very imperfect". The Board's view was that the crop would be at least half on an average and that would itself provide food for the people even though the stocks in hand might be much below the usual amount. This being the case there could be no famine in their opinion.⁴⁰ The policy they recommended was as follows:

- (1) The publication of prices-current, in order to facilitate and encourage the operation of the natural laws, which could alone afford real relief in time of widespread scarcity.
- (2) The provision of labour for the poor by public works.
- (3) Liberal expenditure on Government estates in order to set an example to zamindars.
- (4) As "the chief, if not the only reliance" in more

38. RCF, Vol. II (Appendix), pp. 129-130, Gisborne and Co. to Lieutenant-Governor of Bengal, 3 November, 1865.

39. *Ibid*, pp. 130-131, Board of Revenue to Government of Bengal, 9 November 1865.

40. Report of the Indian Famine Commission, 1880, Part I, p. 42.

extreme cases, local private liberality to be exercised through local relief committees.⁴¹

The policy to be pursued was approved by the Government of Bengal. No further enquiries were made to ascertain more accurately what the true extent of failure was. The crop was certainly less than a half. It was calculated by the Commissioners as one-third of an average. The Famine Commission of 1880 was of opinion that the production was less than 1/3rd, and had the production been one-third only of the average crop, a million would not have perished.⁴²

2nd Phase

The reaping of the small crop in December temporarily reduced prices and allayed apprehensions. In November the price of rice stood at 7 seers per rupee in Puri and 8 seers in Cuttack and Balasore. But towards the close of December, rice was sold at 14 seers per rupee in Puri and 15 seers in Cuttack and Balasore. From the month of November to the time of visit of Lieutenant-Governor to Orissa in February 1866, there was a lull in Cuttack and Balasore, but not in Puri.

On 25 November 1865, Barlow, the Collector of Puri, sent to the Board of Revenue the following telegram: "Starvation at Parricod, Mallood, deaths increasing. District Superintendent viewed distress. Men deserted and families destitute."⁴³ It was resolved to send 250 bags of rice from Burma by a coasting steamer.⁴⁴ But the rice was not sent because the steamer company was not willing to take so small a despatch, especially on a different shore. The Famine Commission remarked, "Mr. Barlow went out to lend the rice, the people even assembled to eat it, but it never came."⁴⁵

41. RCF, Vol. I, pp. 32-33.

42. Report of the Indian Famine Commission, 1880, Part I, p. 42.

43. RCF, Vol. II (Appendix), p. 49, Telegram from Collector of Puri to Board of Revenue, 25 November, 1865.

44. *Ibid*, p. 51, Lieutenant-Governor to Board of Revenue, 25 November, 1865.

45. RCF, Vol. I, p. 41.

At this time when his presence in famine-stricken area was absolutely necessary, Ravenshaw left for the Tributary Mahals towards the end of November and was absent for more than two months. He penetrated very far into the hilly country, visiting parts scarcely seen by any European before. His correspondence was delayed by many days. The absence of the head of the division at such a critical time, particularly when there was no urgent political matter requiring his presence in the Mahals, was really unfortunate.⁴⁶

It was soon apparent that the distress could not be effectually met only by local private charity. That was not forthcoming with any liberality. The public works, therefore, was the only means for the relief of distress.⁴⁷ Barlow submitted a scheme for organising relief works by undertaking the construction of roads. He suggested that wages in food should be given and grain should be imported and stored for this purpose.⁴⁸ The Superintending Engineer of Cuttack recommended the scheme including the payment to labourers in rice.⁴⁹ The Bengal Government, however, while sanctioning the expenditure of Rs. 69,000 for the construction of roads, rejected the proposal of giving wages in grain.⁵⁰ The Board of Revenue also rejected Barlow's proposal for importing and storing rice.⁵¹

In January 1866 the situation worsened and rice could not be procured in any quantity in the Puri district. Barlow wrote to the Executive Engineer urging the necessity of purchasing food for the labourers.⁵² The Executive Engineer recommend-

46. *Ibid*, p. 37.

47. *Ibid*, p. 42.

48. RCF, Vol. II, (Appendix), p. 56, Collector of Puri to Commissioner of Orissa, 29 November 1865.

49. *Ibid*, p. 71, Cromellin, the Superintending Engineer to Government of Bengal, 18 December 1865.

50. *Ibid*, pp. 73-74, Government of Bengal to Superintending Engineer, 19 December 1865.

51. *Ibid*, p. 71, Board of Revenue to Commissioner of Orissa, 22 December, 1865.

52. *Ibid*, p. 99, Collector of Puri to Nolan, the Executive Engineer, 15 January 1866.

ed that the Public Works Department should advance money to the appropriate authorities for purchasing rice because, "not only our works, but the people's lives are depending on an early supply of rice."⁵³ The Superintending Engineer objected to this proposal and referred the matter to the Bengal Government.⁵⁴ The order was given on 26 January 1866 by the Secretary, Public Works Department, under instructions of Lieutenant-Governor, in the following terms: "Your proceedings in refusing advance approved. The department cannot have any concern with providing rice."⁵⁵ The relief works might possibly have afforded considerable relief to the suffering population, if the Government had not made the mistake of insisting on payment in cash wages rather than the supply of food to the labourers.⁵⁶

Mr. Ravenshaw returned to Cuttack from his tour on 31 January. A critical time had arrived. He despatched that very day, the following telegram to the Board, "Famine relief is at a standstill. Public Works Department refuse to advance money to collectors to purchase rice. Pooree must get rice from elsewhere. May I authorise advance for this purpose for Cuttack, Balasore or Pooree."⁵⁷ The answer received was decisive. The following telegram came from the Board of Revenue on 1 February: "Your message received. The Government decline to import rice into Pooree. If the market favours importers, rice will find its way to Pooree without Government interference which can only do harm. All payments for labour employed to relieve the present distress are to be in cash."⁵⁸ The result of this unfortunate telegram was to stifle and put an end to discussion regarding the importation of rice from

53. *Ibid*, p. 102, Nolan of Crommelin, 16 January, 1866.

54. *Ibid*, p. 102, Telegram from Crommelin to Chief Engineer, Bengal, 24 January 1866.

55. *Ibid*, p. 103, Telegram from Govt. of Bengal to Superintending Engineer, Cuttack, 26 January, 1866.

56. RCF, Vol. I, p. 41.

57. *Ibid*, Vol. II (Appendix), Commissioner of Orissa to Board of Revenue, 31 January, 1866.

58. *Ibid*, p. 103, Telegram from Board of Revenue to Commissioner of Orissa, 1 February, 1866.

that time till a period when the state both of the weather and of the people rendered it too late to import it with successful effect.⁶⁰ The Famine Commissioners held that Ravenshaw's telegram of 31 January marked the point "when either importation should have been ordered to render effective the public works contemplated for the relief of the starving, or special enquiry should have been made which, in all probability, would have brought to light the deficiency of grain and the necessity of importation for purposes still more extended."⁶¹

On 2 February the District Superintendent of Police, Puri, recorded his opinions, which subsequent events proved to be correct: "Rice 7 seers per rupee. I fear it will be 3 and 4 seers before we have got through the next six months. A terrible famine is now certain."⁶² The first half of the month of February 1866 was, in fact, the most critical period in the history of the famine. The time had come when grain should have been imported for the purpose of paying in food to the population which was willing to labour at the public works.⁶³

Sir Cecil Beadon, the Lieutenant-Governor of Bengal, visited Orissa with his Public Works Secretary, Colonel Nicolls, and G. F. Cockburn, Member of the Board of Revenue, in the middle of February 1866.⁶⁴ On 17 February he held at Cuttack a *darbar* which was attended by twenty Rajas of mahals, eighty Zamindars, and the covenanted and uncovenanted officers of the districts.⁶⁵ In his *darbar* speech he explained that Government could never interfere with prices. "If I were to attempt to do this, I would consider myself no better than dacoit or thief."⁶⁶ On this statement the Hindu Patriot of 5 March re-

59. RCF, Vol. I, p. 48.

60. *Ibid.*, p. 52.

61. RCF, Vol. II (Appendix), p. 49, Police Reports.

62. Despatch of Government of India to Secretary of State No. 71, 22 April, 1867.

63. RCF, Vol. I, p. 55.

64. *Calcutta Review*, Vol. XLIV, 1867, "Orissa Past and Present".

65. RCF, Vol. I, p. 57.

marked: "No sane or righteous man would wish him to be either, but have not the people of Orissa a right to ask him to act as a man and a brother. A despot as Louis Napoleon is, he did not spurn the common feeling of humanity when he heard of the terrible dislocation which the late cyclone had spread his small dependency at Chandernagore."⁶⁶ The Lieutenant-Governor proceeded to say that the duty of relieving individual distress rested on the Zamindars and landed proprietors. He finally added that employment had been given to many thousand persons both in the Irrigation Company's works and on the public roads and thus much had been done to avert the more serious consequences of a great calamity."⁶⁷

His speech was printed and circulated to officials and non-officials. Its general effect was to create a considerable feeling of disaffection. It was taken by everyone as a final exposition of the Government policy not to interfere otherwise than by providing labour in the mode already arranged.⁶⁸ He left Orissa without discovering the necessity of doing more than maintaining relief works which had been already ineffective. He had before him the correspondence on the famine, which had passed between his Government and the Public Works Department. If he had gone about his business in right earnest, he would have elicited all the information he desired from the local officers and then taken effective steps to import rice. A precious opportunity was thus lost of giving relief to the famine-stricken population. On his return to Calcutta he discussed the subject with the Governor-General in a personal interview and affirmed that the circumstances of Orissa were not such as to render the importation of grain expedient or necessary.⁶⁹

Beadon tried to justify his conduct afterwards by saying that although he discussed the food situation with the local

66. *Hindu Patriot*, 5 March 1866.

67. RCF, Vol. I, p. 57.

68. *Ibid* para 190.

69. Despatch of the Government of India to Secretary of State, No. 71, 22 April, 1867.

officers, he was never told that "the stocks of food in the province was actually insufficient for the next year's consumption, still less that Government would have to import it from abroad."⁷⁰ In condemning the Lieutenant-Governor's conduct, Sir John Lawrence remarked: "It seems to me incredible that all the different individuals with whom he personally conversed, should have been altogether silent at such a momentous period, and that they should have given no expression to the anxious fears and doubts which they cannot but have felt. But at any rate the very clamour from the starving multitude, which beset him at Puri, ought to have led him to make special enquiry, which could not have failed to lay bare the real condition of the people at that very time. It was certainly the duty of the Lieutenant-Governor to have done this."⁷¹

In March 1866, Major General Sir A. Cotton wrote to the Under-Secretary of State on "the immediate prospect of famine in Bengal" and urged means for relieving it.⁷² On 12 March 1866, the Government of India asked Sir C. Beadon whether he considered it necessary for the Government to take any further steps than those already authorised.⁷³ The Government of Bengal reported on 28 March that the people had been materially relieved by public works and those of the Irrigation Company; that the case was not so pressing for advancing money to the company and that, as to food, there was no reason to suppose that the stock in the country was insufficient for the consumption of the people.⁷⁴ And thus matters continued to drift till the crisis came in 1866.

After Sir C. Beadon's visit towards the end of May, the famine grew and spread throughout Orissa till it reached gigantic proportions, demoralizing and decimating the pro-

70. Minute of Sir Cecil Beadon, 5 January, 1867.

71. Minute of Sir John Lawrence, 20 April, 1867.

72. RCF, Vol. II (Appendix), pp. 143-144, Sir A. Cotton to Under Secretary of State.

73. *Ibid*, p. 145, Government of India to Government of Bengal, 12 March, 1866.

74. *Ibid*, p. 146, Government of Bengal to Government of India, 28 March, 1866.

vince. The price of grain increased to more and more severe famine rates. It became scarcer and scarcer, and starvation became more and more general.⁷⁵

The rice was always cheap in Orissa, 12 annas a maund being the usual rate. Its recent rise was unprecedented and should have attracted long before May, official attention. During the last two years, the rate rose a little higher than the normal rate of 12 annas a maund, but it did not exceed Rs. 1·4 annas a maund. In the month of January 1866, the price was about Rs. 3 a maund in Balasore and Cuttack and a little higher in Puri. In February, it rose to Rs. 4 in the first mentioned two districts and Rs. 5 in the last mentioned district. No step was taken to meet the fearful crisis which was fairly approaching. In April the price rose still higher, and rice became scarce. It was sold in Balasore at 9 seers, in Cuttack at 7, and in Puri at $6\frac{1}{2}$ seers to the rupee. But April also passed away and the British authorities did not take any step. At last came the terrible month of May. The whole Orissa was "engulfed by the tidal wave of starvation and crime, disease and death." The self-confidence of the British administrators received a great shock.⁷⁶ It is rightly commented: "Seldom can official complacency and doctrinaire economics have combined to produce such a holocaust."⁷⁷

3rd Phase

From March to May there was an entire cessation of reports from district authorities as the existing policy of dealing with famine was considered as settled. Yet this was the period during which the famine was gradually assuming its largest dimension. Early in May, an extreme pitch of misery having been reached, Barlow broke his silence in a series of long letters, giving full details: "I am urged to do this at once from the consideration that at present a marked change has appear-

75. RCF, Vol. I, Para. 210.

76. *Calcutta Review*, Vol. XLIV, 1867, "Orissa Past and Present".

77. Thompson and Garratt, *Rise and Fulfilment of British Rule in India*, p. 430.

ed in the position of affairs and it is now certain that the condition of extreme exhaustion amongst the lower classes of the population has been reached throughout an area of country which can not be much less than half the extent of this entire district.”⁷⁸ Regarding remedial measures Barlow pointed out the total inadequacy of the local means “which at the most may have availed to save a few amongst many from destruction.” He continued: “The fullest and most anxious consideration of the subject has failed to help me out of the difficulty here, and I must at once own that I am unprepared with any definite and comprehensive proposal. When the labour system, that is as a general medium of relief, is at an end, and the only remedy is to support a starving population by gratuitous charity, I do not know what, in a political economical point of view, are the exact duties and responsibilities of Government. I must, therefore, leave the question to be decided by higher authority”⁷⁹

When Ravenshaw received his letter, he was on tour of the disturbed state of Mayurbhanj. He was already aware of the extreme distress in Balasore. In the middle of April when he visited Balasore, he became himself a witness to very extreme famine scenes there. He was almost trampled under foot by a starving mob. “The crowd getting so thick, they absolutely lay one on the other in a writhing mass of disease and distress as painful to witness as it was impossible to relieve.”⁸⁰ After receiving Barlow’s letter of 10 May 1866, Ravenshaw was about to change his views. The following passage from his letter to Government of Bengal dated 18 May 1866, shows that he too had now recognised the extent of calamity and the necessity of Government action. “What Mr. Barlow describes as to the utter prostration of the people is amply confirmed by my own observations in other parts of the country, and I fully support Mr. Barlow’s opinion that the time has now come when it will be necessary for Government to step in to save these help-

78. RCF, Vol. II (Appendix), No. 11, Barlow to Ravenshaw, 10 May, 1866.

79. *Ibid.*

80. *Ibid.*, Vol. I, p. 75.

less objects from lingering and miserable death."⁸¹

On 21 May 1866, the Lieutenant-Governor of Bengal assigned rupees 10,000 to the relief committee of each of the three districts of Orissa out of the sum placed at his disposal by the Government of India.⁸² On the same day, he sent to the Board of Revenue a telegram sanctioning Rs. 45,000 for importing rice in addition to Rs. 30,000.⁸³ The Lieutenant-Governor seemed to have at last realised the gravity of the situation. But the Board of Revenue refused to move an inch from the position they had taken up and declined to import rice, reiterating their firm faith in the policy of laissez-faire.⁸⁴

On 27 May, Ravenshaw returned from Mayurbhanj and found that even the troops and Government establishments in Cuttack were on the point of starvation. On 28th, he telegraphed to Government as follows: "Rice with utmost difficulty procurable in insufficient quantity at $4\frac{1}{2}$ Cuttack seers per rupee. Bazars again partially closed. Only one day's rations in store for troops, who are reported discontented. Commissariat have refused assistance; crime increasing daily. Public works and relief works stopped for want of food. I recommend immediate importation of rice for use of troops, for jails and to feed labourers on relief works and supply of food to starving through relief committees."⁸⁵ On 29 May, Sir C. Beadon ordered the Board of Revenue to import rice immediately.⁸⁶ The Board of Revenue had no other alternative than to perform their duty.

In June all Orissa was plunged in one universal famine

81. RCF, Vol. II (Appendix), p. 173, Commissioner of Orissa to Government of Bengal, No. K, 18 May, 1866.

82. *Ibid*, p. 240, Government of Bengal to Board of Revenue, No. 632T, 21 May, 1866.

83. *Ibid*, p. 241, Telegram from Government of Bengal to Board of Revenue, No. 631T, 21 May, 1866.

84. *Ibid*, pp. 241-242, Board of Revenue to Government of Bengal, No. A, 22 May, 1866.

85. *Ibid*, p. 256, Telegram from Revenshaw to Government of Bengal.

86. *Ibid*, Telegram from Government of Bengal to Board of Revenue, 29 May, 1866.

of extreme severity. The cry of the famine-stricken population waxed louder and louder everyday. There never were such crowds of starving people and such morality in every nook and corner of Orissa. No sort of order could be kept among the famishing crowd and "for miles round you heard their yell for food."⁸⁷

By the end of June, rice to the value of about 25 lakhs of rupees was imported.⁸⁸ But the importation was very much obstructed due to the outburst of monsoon on the Orissa coast with terrific violence. As a result, not much rice could be shipped there.⁸⁹ There were no harbours on the Orissa coast. False point, which offered a secure anchorage during the monsoon was only then discovered for the first time. Another difficulty was, when the ships had brought rice to the coast, to get it unloaded and carry up to the interior. It was not till September that any sufficient quantity of rice had reached the centres of demand. June, July and August were the months in which famine was most intensely felt.⁹⁰

As fast as rice came in, the relief operations, paralysed for want of it, revived and multiplied. In July some centres for the distribution of cooked food were established, some in August and in September the full number 88, were in operation in the three districts. The numbers of these centres were 43 in Cuttack, 22 in Balasore and 23 in Puri.⁹¹

The mortality reached its culminating point at the beginning of the second week of August, during the heavy rain and storms which preceded and caused floods in rivers Mahanadi and Kathjori. The people were then in the lowest stage of exhaustion. The emaciated crowds collected at the feeding stations, had no sufficient shelter, and the cold and wet killed them in fearful numbers. The floods which followed the rains,

87. RCF, Vol. I, pp. 93-94.

88. Report of the Indian Famine Commission, 1880, Part I, p. 43.

89. RCF, Vol. I, pp. 87-93.

90. Report of the Indian Famine Commission, 1880, Part I, p. 43.

91. RCF, Vol. I, p. 94.

were unusually high. Though considerably less so than those of 1855, they were more frequently renewed. The lands were laid longer under water, and the damage to the tract lying near the rivers in the central portions of Orissa was excessive. In the flooded parts the loss of the expected crop terribly increased the prospective sufferings of the people.

In September there was some relief, not only by the greater extension and better supply of the feeding centres and sales, but also in most parts of the country from the ripening of the small early crop of rice. In November the new crop began to come into the market in considerable quantity and by then the general famine was said to have come to an end. The people returned to their avocations, leaving only the emaciated, the orphans and the widows. There still continued to be more general distress in the unfortunate tracts which had suffered a second calamity by the floods.⁹²

Relief Operations

One form of relief measure which the Government adopted for the relief of distress was the opening of public works. They were of two kinds. Some were carried on by the Public Works Department and some by the Collectors as manager of the Government estates. The works were carried on the principle that they should be paid in cash and not in grain. The following table embodies all that could be ascertained regarding the average daily numbers employed at different periods and the cost of relief works:

<i>District</i>	<i>Average number employed daily January- June</i>	<i>Average number employed daily June- November</i>	<i>Total expenditure</i>
			<i>Rs.</i>
Puri	1,182	2,500	3,177
Cuttack		650	15,638
Balasore	—	300	6,877
	1,182	3,450	25,692

Besides, about 1,260 were employed in Puri for the first five months of the year 1866 on works especially opened in the Government estate of Khurda.

The public works did not prove to be of great use in relieving the distress as the Government declined to provide food for the labourers instead of paying in cash. The Irrigation Company was paying its own labourers, part of their wages in imported rice. The consequence was that they attracted large numbers of workmen and employed on an average about 9,000 people daily.⁹³

In May 1866, the Government commenced to import rice. The imported food was supplied to the people partly through charitable distribution and partly through sale. The rice was sold to those who could afford to pay the market price for grain, but whom the market could not supply. The charitable distribution was made to most of the people who could not purchase. The distribution of the food to these people was left freely in the hands of the Relief Committees, which had been established, from the first, in each district.⁹⁴

Another form of relief which had been spontaneously adopted by the sufferers themselves was emigration. The people of Orissa were, as a rule, wedded to their homes, and averse to locomotion. But prostrated by this calamity, they sought relief by migrating to another area, where they might expect cheap food and abundant work. They streamed into Midnapore.⁹⁵

In the month of November 1866, with the coming of new harvests, the food situation improved. The accounts received by Government were full of promise as to the future. Prices were reported as already falling. The condition of the people was improving gradually. But the relief operations were continued in limited scale after November 1866, till there was

93. Report of the Indian Famine Commission, 1880, Part I, pp. 45-46.

94. RCF, Vol. I, p. 96.

95. *Calcutta Review*, Vol. XLIV, 1867, "Orissa Past and Present."

no longer any necessity for them. These operations embraced the feeding of paupers, their shelter and the employment of those capable of light work. Besides, the following indirect relief measures were carried out for the quick recovery of the province after November 1866.

The prices of Government rice were reduced in those places where the uniform state of poverty and depression rendered it impossible for the mass of people to purchase it at the prices in force previously. The discretion was given to the Commissioner of the Division to carry out this policy wherever circumstances should render it expedient. The permission to sell rice to the labourers employed by them at reduced rates was also extended to the Public Works Department and the East India Irrigation and Canal Company.⁹⁶

As the condition of the population of salt tracts in Orissa was very deplorable, the emigration of these people was encouraged and assisted. A large number of such emigrant paupers were located in Khurda and other Government estates. The settlers were provided with land and the means to till it. In a short time, they were found thriving and their lands well sown.

For the orphans left destitute by the famine, an expenditure of Rs. 2 per month for each was sanctioned until permanent arrangement could be made for their support. The number of famine orphans was estimated at 1,553 and a monthly allowance of Rs. 3 for each was made to their custodians or guardians by the Famine Committee on the understanding that the payment would be continued to the age of 17 for boys and of 16 for girls. It was also decided that a marriage amount would be granted to the girls and a small bonus to the boys to start them in life on the allowance being discontinued.

In consequence of the high prices prevailing in Orissa, a general increase of allowances was granted from 1 April 1867 to 31 December 1867 to all Government servants on low salaries, employed in the province. An extra allowance of 50 per cent

on their salaries was granted to those whose monthly pay did not exceed Rs. 10 and of 25 per cent to those whose salary was in excess of Rs. 10 but did not exceed Rs. 200. The persons receiving more than Rs. 200 and less than Rs. 250, were to have their salaries raised to the latter amount and no increase was given to such as drew above Rs. 250.⁹⁷

Pending enquiry into the state of the crops and the effects of the famine on the cultivating classes in Orissa, the suspension of the entire instalment of revenue due on April and November 1867, was sanctioned in the case of all zamindars, the loss of whose estates exceeded one-half of the crops, on the condition of their remitting in the same proportion in favour of the *ryots*.

Advances were also made to the zamindars in Orissa for the promotion of cultivation on the security of the estates. Advances were given strictly for the purpose implied in the designation, *Tuccavée*, and repayment was insisted on within six months if they were diverted to any other purpose. If the advances were utilised for the purpose for which they were made, no interest should be charged on them for three years.

Some hesitation was seen on the part of the Zamindars to receive the advances through fear of not being able to meet the liability if the next few seasons proved unfavourable. It was explained to them that, in the event of further calamity and extensive loss of crops, due consideration would be shown to those who did their best to bring their lands under cultivation and in the event of serious loss resulting from causes beyond their control, Government would deal liberally in respect to the recovery of advances. The Zamindars were warned at the same time that in the event of their omitting to avail themselves of the proposed advances to cultivate their estates and to assist their tenantry, no remission of revenue would be allowed in the event of loss from whatever cause.

Moreover, to induce the *ryots* to cultivate their lands, advances of seed rice were made to all who were unable to secure a supply for themselves.⁹⁸

97. RAB, 1867-68, pp. 216-217.

98. *Ibid.*

The carrying out of direct and indirect relief measures, coupled with the successful harvesting of crops in December 1867 resulted in rapid economic improvement. Under these circumstances, the relief operations were withdrawn.

Consequences

The famine of 1866 was an event of great importance in the history of Orissa. It marked the culmination of the negligence of Orissa under the British rule. It had some far-reaching consequences.

This famine proved to be very costly. The total importation of rice up to the end of 1867 was 11,16,810 maunds, and the total consumption 5,24,704 maunds, which left a stock in store of 5,92,106 maunds. The gross expenditure up to the end of 1867 was approximately Rs. 46,57,172.⁹⁹

In spite of this heavy expenditure, its severity was felt very acutely in every nook and corner of Orissa. It exacted a heavy toll of human life. The population before the famine was calculated by the Famine Commission of 1880, to be 3,700,000 and the mortality to a million.¹⁰⁰ Referring to the extreme severity of the Orissa Famine, Sir George Campbell remarked: "We were shocked by the human remains we saw all around. From an Indian point of view, the area of very intense famine was rather small, being confined to a few millions of people; and the period of intensity was short, being no more than a single half year. But within these limits, it was, I think, by far the most acute famine experienced in any part of India in the present (19th) century."¹⁰¹ The Famine Commission of 1880 remarked: "It is a melancholy reflection that while a larger sum of money was spent on this famine than had ever been spent before, it should be associated in history only with

99 RAB, 1867-68, pp. 216-217.

100. Report of the Indian Famine Commissin, 1880, Part I, p. 45.

101. Vide R. C. Mazumdar, Ed., *British Paramountcy and Indian Renaissance*, Part I. P. 830.

the memory of a greater mortality than had ever been recorded.¹⁰²

The Orissa Famine revealed serious defects of the Bengal administrative system as well as the fundamental weakness of the theory of laissez-faire. It shook the English ruling classes out of their self-complacency. The Famine Commission of 1866 pointed out that the whole system suffered from the defect of the information available on any particular problem and also from the reluctance of the Government to take direct action.

After the famine, the Bengal Government inaugurated a policy of adopting a more active system instead of the old laissez-faire, with a more direct contact with the people. It was held that the Government was not to set up courts of justice to keep the peace and to deal merely with those questions which forced themselves on the attention of Government. Such power and influence as the executive had should be used more decidedly to ensure the performance of its obligations by each class of the community and to apply, whether by legislative or by executive action, suitable remedies for those defects and wants which a thorough knowledge of the facts disclosed. The practice of holding detailed and systematic inquiries as a preliminary to the action by the Government was instituted. Comprehensive inquiries and compilation of statistics became the basis of subsequent Government.¹⁰³

The Famine Commission presided over by Sir George Campbell made certain recommendations regarding the measures to be adopted for prevention of famine in future. It "dwelt much on the necessity of efficient means of communication as the best means of prevention." It also "pressed the advantage of security of tenures for cultivators," and advocated "irrigation within reasonable limits, but warned the Government against relying upon that as a panacea of all evils". The Commission further stressed that "the Government must undertake responsibility for famine relief, and that adequate

102. Vide C. E. Buckland, *Bengal under the Lieutenant-Governor*, Vol. I, p. 391.

103. L.S.S. O'Malley, *History of Bengal, Bihar and Orissa under British rule*, pp. 451-455.

financial provision must be made for a heavy expenditure in famine relief and at recurring periods." Various modes of relief, especially employment in useful public works, import of food, etc., were recommended.¹⁰⁴ These recommendations formed the foundation of definite famine relief policies of British Indian Government. Therefore, Orissa famine of 1866 had been regarded "as the turning point in the history of Indian famines."¹⁰⁵

As the immediate consequence of famine and Commission of Inquiry, measures were taken in Orissa for preventing or minimising the effects of the recurrence of such a calamity. Communications with Orissa were improved, by the provision of access by sea at the False Point and the Dhamra river. Roads, both those leading to, and those within the province, were ordered to be completed as rapidly as possible. The development of the canal system was pushed on steadily. Much attention was given to the progress of education by opening up schools and college.¹⁰⁶ Through the famine, Orissa thus attained a turning point in her destiny. Each calamity had its lesson and the lesson of this famine was the adoption by the Government of a policy of attention.¹⁰⁷

The opinion expressed by Sir Stafford Northcote, then Secretary of State for India, in the House of Commons, may be regarded as a just conclusion: "This catastrophe must always remain a monument of our failure, a humiliation to the people of this country, to the Government of this country and to those of our Indian officials of whom we had perhaps been a little too proud. At the same time, we must hope that we might derive from it lessons which might be of real value to ourselves, and that out of this deplorable evil, good of no insignificant kind might ultimately arise."¹⁰⁸

104. RCF, I, pp. 139-145.

105. R.C. Mazumdar, Ed., *British Paramountcy and Indian Renaissance*, Part I, p. 829.

106. C. E. Buckland, *Bengal under the Lieutenant-Governors*, Vol. I, p. 394.

107. *Calcutta Review*, Vol. XLIV, 1867, "Orissa Past and Present."

108. Vide C.E. Buckland, *Bengal under the Lieutenant-Governors*, Vol. I, p. 386.

CHAPTER II

Land Revenue Administration

LAND REVENUE ADMINISTRATION UNDER THE EAST INDIA COMPANY

Orissa originally included a much wider tract of country than that which under the British Rule constituted the division of that name, and included the districts of Cuttack, Puri and Balasore. It comprised "the whole region lying between the Hooghly river and the southern limits of the Ganjam district, now in the Madras Presidency, its eastern boundary being the Sea, and the western an irregular line, varying from 100 to 200 miles from the coast." The whole of this vast tract was at one time in feudal subjection to the Raja of Khurda. It was conquered by the Mughals in 1592 A.D. From that time the long strip of cultivated land which lay between the western mountain tracts and the sea-board marshes, and from which the conquerors derived their revenue, became known as the *Mughalbandi*. The encircling tracts, in which the Orissa chiefs maintained a semi-independence, were called the *Rajwara*. The Marathas subsequently over-ran the province, the whole of which, south of the Subarnarekha river, was formally made over to them by Aliverdi Khan in 1751, in lieu of the *Chouth* which they had been in the habit of levying on the Subedars of Bengal. It was in consequence of this cession that the province of Orissa, as made over to the East India Company in 1760, was confined to the Midnapore district and a part of

Hooghly district. The rest of the province was recovered by the East India Company from the Marathas in 1803.¹

The Marathas imposed on the Raja of Khurda, and all the *Khandayats*, as the subordinate feudal chiefs were called, a quit rent, called *peshkas*. This the Government frequently had to levy at the point of sword. The one result to the opposition raised to its payment was the complete subjection and assessment at full rates of the *Killas* of nearly all the smaller *Khandayats*. These *Killas* existed principally in the Eastern *Rajwara*. When the province was conquered by the British, their number was fifty. Not one of these fifty *Khandayats* were admitted at the first settlement under Company's rule to hold his *Killa* at a quit rent. They were assessed at full rates and reduced in all respects to the condition of ordinary land holders, though some of them retained their old title of *Khandayat* and kept up small guards of *paiks*.

In recognition of their ancient lineage and to secure their loyalty, the rights of the Raja of Khurda, and of all the principal *Khandayats* to hold their estates at permanent quit-rents, were recognised by the Settlement Officers and by the Government. A distinction, however, was drawn, by which the *Killas* of eleven of these chieftains, including the Khurda Raja himself, were brought with the *Mughalbandi* under the general regulations in force in Bengal, and were incorporated in the British territories. The remainder were left in the position of semi-independent Tributary States, and a Superintendent was appointed to keep himself informed of their proceedings, levy the quit-rents due from them, and put a check upon any revival of their old turbulent and predatory habits.²

In reference to the *Peshkasy Mahals* incorporated in British territory by Sections 33 to 35 of the Regulation XII, 1805, they were permanently settled at fixed rents.³ Section 34 of Regulation XII of 1805 confirmed in perpetuity the *jagir* of Fateh Muhammad who had assisted the British troops in their

1. Land Revenue Report, 1870-71, pp. 17-18.

2. RAB, 1901-1902, pp. 109-110.

3. Land Revenue Report, 1870-71. p. 18.

passage through the south of Puri district. The Raja of Parikud paid a quit-rent for Parikud, included in this *jagir*, of Rs. 1,600 per annum to the descendants of Fateh Mohammad. Kalkalla was separated from Darpan and constituted a separate permanently settled estate in 1805.⁴ However, the most important of them, Khurda, was in 1805 resumed as a result of the rebellion of the Raja and became a Government estate.⁵ Besides the permanently settled areas dealt with above, there were 8 estates in Cuttack and Balasore known as the *Killajat*. They occupied an anomalous intermediate position. Although they originally formed part of the *Rajwara*, they were mostly resumed by the Marathas who collected the revenue directly, but left in the possession of their former holders, variously styled Zamindars, Bhuians, etc.

After the British conquest, those *Killas* in question were looked upon as temporarily settled estates and their revenue was on different occasions enhanced unlike other *Killas* which received a permanent settlement. They, however, continued to claim for permanent settlement. Their claims were subsequently reconsidered and Government passed orders that lenient treatment should be accorded to these *Killas*. Of these 8 estates, Dampara was restored to the position of a permanently settled estate in 1829, subject to the condition that in the event of any alienation, the assessment should be open to revision. The two others, namely, Kantajhar and Patna, were alienated by the original Zamindars and treated as *Mughalbandi* estates. The remaining 5, Balrampur, Rengri and Chousathipara in Cuttack district and Ambo and Mangalpur in Balasore district were held by the descendants of the original Zamindars. Government, in ordering a lenient assessment for these estates, laid down that in future settlements the rates of assessment should not be more than half that fixed for the ordinary temporarily settled estates. But these privileged terms were subject to the condition that the estates could not be alienated or parti-

4. J.F.W. James, Final Report on the Revision Settlement of Orissa, 1906-1912, p. 2.

5. Selections from the Correspondence on the Settlement of Khurda State, Vol. I, Collector of Puri to Commissioner of Orissa, 20C, 27 August, 1875.

tioned and that succession should be governed by the law of primogeniture.⁶

The permanently settled areas under the East India Company were thus covered by the following estates:⁷

<i>District of Cuttack</i>	<i>Area in Square Miles</i>
Kanika	440
Aul	135
Kujang	370
Patia	53
Madhupur	79
Harispur	60
Sukinda	337
Darpan	100
Bishnpur	17
Dampara	83
Kalkalla	19
Chhedra]	83

<i>District of Puri</i>	<i>Area in Square Miles</i>
Marichpur	53.29
Parikud	67.52
Jagir Mahals	72.57

Excepting these large estates, the Permanent Settlement was not extended to the rest of the province. Regulation XII of 1805, provided for four successive settlements, to last respectively one year, three, four and three years. At the expiry of this period of eleven years, it was promised to introduce Permanent Settlement. But that promise was never redeemed. In point of fact, a series of ten short temporary settlements followed the proclamation, the last of which expired in 1837. A thirty years' settlement was then concluded, which was to expire in 1867 and was, therefore, in force at the time of the transfer of powers to Crown.⁸ The settlements of the temporarily settled areas under the East India Company were as follows:

6. Report of the Administrative Inquiry Committee, 1958, Vol. I, pp. 18-19.

7. J.F.W. James, Final Report on the Revision Settlement of Orissa, 1906-1912, p. 2.

8. Memorandum upon current land revenue settlement in the temporarily settled parts of British India, 1880, p. 579.

<i>Date</i>	<i>Under Regulation</i>	<i>Total Revenue</i>
1804	Regulation XII of 1805	Rs. 11,78,000
1805	Ditto	10,89,000
1808	Regulation VI of 1808	10,89,000
1809	Ditto	10,44,000
1811	Regulation XIII of 1811	12,69,000
1812	Regulation I of 1813	13,71,000
1816	Regulation XIII of 1815	13,81,000
	Regulation VI of 1815	
1820	Regulation VI of 1866	13,40,000
1821	Regulation XIII of 1818	13,70,000
1828		13,81,000
1837		13,84,190 ⁹

It was said that the history of the earlier settlements made by the British was an "unfortunate record of assessment on insufficient enquiry and of the enforcement of inelastic rules for the realisation of inequitable revenues."¹⁰ In the early settlements, revenue was continually being enhanced on imperfect information. There was little justification for the increase in either the spread of cultivation or the circumstances of the people. The sale law was enforced with great severity. From 1806 defaulting estates were sold at Cuttack and many old Oriya families were ruined, while the estates were bought by speculative Bengalis who expected a Permanent Settlement to be made in Orissa. There was no doubt that the continued alteration of the demand disheartened the Zamindars, and it at last proved harmful to cultivation. In 1817, came the Khurda rebellion after which the increase in the demand was suspended.¹¹

The thirty years' settlement was based upon a careful field survey, and an investigation into the individual rights of each land holder and under-tenant. It was, no doubt, a great

9. Maddox Report, Vol. I, p. 382.

10. BRP (Land Revenue), December 1901, Resolution of the Government of Bengal in the Revenue Department, No. 1532 T-R, 4 October 1901.

11. J.F.W. James, Final Report on the Revision Settlement of Orissa, 1906-1912, p. 36.

improvement upon the previous short settlements. It was a work of great labour covering nearly seven years. It was more than once intended to adopt the system of assessment as in vogue in the upper provinces. But Henry Ricketts in 1838, and A.J.M. Mills in 1841 (the Commissioners under whose supervision the settlement operations were carried out), declared against the proposal, and the Board determined to follow out the plan of individual arrangement with every tenant and under-tenant in the province.¹² The following table shows the result of the thirty years' settlement which was dated from 1837.¹³

District	Total area	Unculti- vated area	Assessed area	Mufassil jamma or assets	Sadar jamma or revenue	
	Acres	Acres	Acres	Rs.	Percent- age	Amount Rs.
Cuttack	1,174,900	697,000	621,000	11,21,000	84	7,14,100
Balasore	913,993	554,000	493,200	5,75,600	65	3,77,290
Puri	499,100	377,000	302,400	4,41,600	66	2,92,800
	2,587,993	1,628,000	1,416,600	21,38,200	65	13,84,190

Origin of Land Tenures

The Government made the above noted settlements with the Zamindars. The majority of the real Zamindars who held proprietary rights under the Mughals and Marathas had been recognised as Rajas of *Killas*, or had received Permanent Settlements of their lands during the early settlement proceedings. In addition to those real Zamindars, the early settlements recognised the proprietary rights of all the *talukdars*, rent collectors, village headmen, holders of resumed *jagirs* and the like, who were found at the time of the British conquest, to be pay-

12. Memorandum on the Revenue Administration of the Lower Provinces of Bengal, 1873, pp. 51-52.

13. Maddox Report, Vol. I, P.C. Lyon to Board of Revenue, No. 1549S, 24 July 1900.

ing their revenue direct into the Maratha treasuries, as well as the holders of the larger revenue-free properties that were resumed and assessed. They soon merged into the general proprietary title of Zamindar. That was the origin of the Orissa Zamindars. Under those Zamindars, a class of subordinate proprietors, or proprietary tenure-holders, was recognised at the settlement of 1837. They were composed of the village head-men and minor revenue officials, such as *Padhans*, *Mukadams*, *Sarbarakars* and *Pursethis* or the purchasers or recipients of proprietary rights in small plots of land from the Zamindars or *Mukadams*, such as *Kharidadars* or *Shikmi* Zamindars. The various grades of tenure-holders sprang up concurrently with the growth of the Zamindari interest. These were found at the British conquest in possession of the *de facto* proprietary right in the soil and had been allowed to engage for payment of revenue.¹⁴

Among the so formed proprietary classes, the Zamindars paid their revenue direct to the treasury, and the sub-proprietors paid their revenue through the Zamindars of the estates within which their lands lay. With them was also included the *lakhi-raj bahaldars*, or holders of confirmed revenue-free lands, who possessed a permanent right to hold their lands free of land revenue, and were independent of the Zamindars of the estates in which their lands originally formed a part.¹⁵

It was the practice of the Hindu rulers to assign lands to Brahmins for their support and to donate lands to monasteries and charitable institutions in perpetuity. These grants and endowments were wholly or partially exempted from the payment of the revenue. So strong was the religious feeling of the country that neither Mahammedan bigotry nor Maratha greed prevailed to set aside the gifts and make those lands liable to contribute to the public treasury. Lands thus exempted from the payment of the public revenue were styled *Lakhraj*, meaning "without revenue". An enormous number of revenue

14. Maddox Report, Vol. I, P.C. Lyon to Board of Revenue No. 1549S, 24 July 1900.

15. Memorandum on the Revenue Administration of the Lower Provinces of Bengal, 1873, pp. 52-55.

free tenures were thus created. The areas varied from an acre or less than an acre to very large areas. On their acquisition of the province in 1803, the British enquired into the validity of those grants. The enquiries were held under Regulation XII of 1805 and 11 of 1819. As a result, the right to hold the land free of revenue was recognised in a large number of cases. The land so confirmed was generally known as *Lakhraj Bahal* or confirmed "without revenue", or more shortly Bahel as opposed to the resumed or *Bajyapti* land.¹⁶

The term *ryot*, implies one who takes land primarily to cultivate it himself, as opposed to a tenure holder who takes it primarily for the purpose of leasing it to others. Of the *ryots*, the *Thani* or resident cultivators and the *Pahi* or non-resident cultivators formed the majority.

The other *ryots* were of the following classes: (1) the *Tankidars*, or holders of small areas permanently assessed at a quit rent, (2) the *Nisi-baziaftidars* or *Kamil-baziaftidars*, or holders of resumed rent-free lands, (3) the *Chandandars* or *Chandina* *ryots*, or holders of homestead lands, who paid rents only for homestead lands as they had no arable lands, (4) the *jagirdars* or the holders of service and other jagirs who held their lands rent free, either in consideration of services to be rendered or as rewards for services in the past.¹⁷

Extension of the Settlement Period

The settlement of 1837 expired in 1867. But during 1866-1867, the province suffered from a disastrous famine. It was, therefore, considered inexpedient to attempt a resettlement. Accordingly, the settlement was prolonged for another term of thirty years.¹⁸ In his letter dated 20 July 1900, P.C. Lyon, the Director of Land Records and Agriculture remarked: "The

16. Report of the Administrative Inquiry Committee, 1958, Vol. I, pp. 19-20.

17. BRP (Land Revenue), December 1901, Resolution of the Government of Bengal in the Revenue Department, No. 1532 T-R, 4 October 1901.

18. Chapters of Standard information taken from the Bengal Administration Report, 1901-1902, p. 110.

history of the rapid recovery of the Province from the horrors of the great famine has subsequently shown that this extreme leniency was scarcely needed, and that a resettlement might well have been made some twenty years ago, to the advantage of Government and without undue harassment of the people. The result of the excessive prolongation of the former settlement had undoubtedly been the exclusion of Government for a length of period from its fair share of the produce of the soil, and the retention by the landlord classes in Orissa during the same period of profits to which they had no equitable right.”¹⁹

Changes during the Term of the Settlement of 1837

During the 60 years of the term of the settlement of 1837, the province developed in every sphere in spite of the famine of 1866. The population increased by over 80 per cent Cultivation was extended by 30 per cent, and communications were largely improved, bringing an increase in the volume of trade. The prices of staple food-crops were trebled securing largely increased profits to the cultivators. This development was naturally accompanied by an increase in the rents of the *pahi* (non-resident) tenants, the only class for whom rents had not been fixed for the term of the settlement.²⁰ The incidence of their rents advanced from Rs. 1-14-6 to Rs. 2-11-6 in Cuttack, from Rs. 1-2-11 to Rs. 1-11-1 in Balasore and from Rs. 1-7-8 to 1-13-8 in Puri.²¹

On the other hand there was a remarkable decrease (42 per cent) in the area of the *thani* (resident) tenancies. These tenancies, as the holdings of resident tenants, naturally embraced the best lands of the villages. They were assessed at much higher rates than the holdings of the *pahi* tenant. The decline was attributed by S. L. Maddox, the Settlement Officer chiefly to the famine of 1865-66.²²

19. Maddox Report, Vol. I, P.C. Lyon, to Board of Revenue, No. 1549S, 24 July 1900.

20. RAB, 1901-1902, p. 120.

21. Maddox Report, Vol. I, P.C. Lyon to Board of Revenue, No. 1549S, 24 July 1900.

22. RAB, 1901-1902, p. 120.

Another great change was the multiplication of estates and of landlords. The number of estates rose from 3,571 to 6,377 and the number of individual landlords from 8000 to 42,400, with a corresponding increase of lands in the direct possession of the landlords.²³ The marked increase in the area and value of lands held by the proprietors was a great benefit derived by them during the course of the settlement. The following figures show the increase in these lands, and in the valuation made of them, in the sixty years:²⁴

	<i>Settlement of 1837</i>		<i>Settlement of 1899</i>	
	<i>Area</i>	<i>Valuation</i>	<i>Area</i>	<i>Valuation</i>
	<i>Acres</i>	<i>Rs.</i>	<i>Acres</i>	<i>Rs.</i>
Cuttack	42,300	75,400	85,800	223,200
Balasore	20,400	25,100	46,600	81,100
Puri	26,000	46,800	40,100	80,200
Total	88,700	1,47,300	1,72,500	3,84,500

The Settlement of 1897

The proceedings in connection with the resettlement which took effect from 1897 were commenced at the end of 1889. The work extended over a period of ten years. It covered the districts of Puri, Cuttack and Balasore with the exception of a certain number of permanently settled estates known as *Killas*.²⁵ The essential questions connected with these operations were (1) the survey of the area; (2) the preparation of record of rights; (3) the settlement of rents; and (4) the settlement of revenue.

23. RAB. 1901-1902, p. 120.

24. Maddox Report, Vol. I, P.C. Lyon to Board of Revenue, No. 1549S, 24 July 1900.

25. RAB, 1891-92, p. 42.

The traverse survey operation began under Paterson in 1889. It was pushed on in advance so as to have everything ready for the cadastral parties in the ensuing season. There were some difficulties encountered in connection with the determination of the unit of survey, but ultimately the existing village was adopted, and subsequently proved the most reasonable basis for the survey work, as well as the one most acceptable to all parties. There was little obstruction on the part of the *ryots* or Zamindars, and the work was done efficiently and inexpensively. The average cost was Rs. 39 per square mile.²⁶

The cadastral survey was carried out, on the scale of 16' to the mile. The only exceptions were made in the case of large towns, which were surveyed on the 32' or 64' scale, and entered on the margin of the village maps. This work was at first performed by the local *Patwaris* and other Oriyas. Owing to the slow progress achieved by them the attempt was abandoned. The trained up-country amins from the North-West Provinces were employed for this purpose.²⁷ Moreover, in order to facilitate the cadastral survey it was placed under Colonel Sandeman as the Director of Survey, and Lieutenant Crichton as the Superintendent. Since then the progress became more satisfactory.²⁸ The survey work was completed in September 1894. The record-writing was also carried on and completed side by side. The areas dealt with in the three districts were as follows:²⁹

	<i>Square miles</i>
Cuttack	2,274
Puri	1,028
Balasore	1,733½
	<hr/>
	5,035½
	<hr/>

In Puri, besides the area above shown, the survey depart-

26. Maddox Report, Vol. I, P.C. Lyon to Board of Revenue, No. 1549S, 24 July 1900.

27. *Ibid.*

28. RAB, 1891-92, p. 42.

29. *Ibid.*, 1894-95, p. 45.

ment measured 105 square miles, belonging to the Temple of Jagannath, on the application and at the expense of the Temple authorities. Excluding Rs. 6,293, the cost incurred on account of the temple lands, the total expenditure under the head of survey amounted to Rs. 10,35,294. The expenditure per square mile, was, therefore, Rs. 205.6 annas.³⁰

With the exception of the Jagannath Temple lands, the survey in Orissa was confined to the temporarily-settled estates and to a few permanently settled estates intermingled with the temporarily-settled estates. In order to make the new map of Orissa complete, it was decided that a village boundary survey with topographical details should be prepared of the other permanently-settled estates in Orissa. The work commenced in December 1894 and was completed by the end of 1895. The total area surveyed was 1,323.42 square miles including 310.35 square miles of the Chilika lake in the district of Puri. The total cost incurred was Rs. 31,130, giving a cost rate of Rs. 23.5 annas per square mile.³¹

In addition to the work of the cadastral survey, the *amis* of the survey department of India were entrusted with the work of writing up the records of rights. It involved filling up the entries regarding the *ryot's* status and rent in the survey records.³² The records were prepared for each village after ascertaining the facts on the spot. Their works were controlled and supervised both by the officers of their department and by the officers of the Settlement Department deputed for the purpose. The records thus prepared were four in number: (1) the *Khewat*, in which were entered the names, *tauzi*-numbers, areas and proprietors of each estate of which any lands were situated in the village; (2) the *Khasra* or field index to the map, containing one entry for each field or separate plot belonging to one cultivator, specifying the names of the owner and the occupier, its area, the crop borne on it, and a description of the nature of the soil; (3) the *Khatian* or abstract re-

30. RAB, 1894-95, para 94.

31. *Ibid*, p. 45.

32. *Ibid*, 1893-94, p. 41.

cord containing a list of tenants of the village with details of the land held by each, the rent payable for them and the class of tenancy to which the holding belonged; and (4) an abbreviated *Khatian*, known as the *parcha*, which was prepared simultaneously with the *Khatian* and handed over to the tenant to enable him to understand what was being entered in the record and to check its accuracy.³³

After the records had been prepared in the field by the survey department, they were compared with one another and checked in the office of each camp and the areas were entered in them. After the completion of this attestation work, the papers were handed over to the Settlement Department, in order that rents and status might be entered after due enquiry by a responsible Revenue Officer.³⁴

Formerly, one Settlement Officer was in charge of the operations throughout Orissa. But in 1894-95, the charge was divided for two Settlement Officers, one for Cuttack and Puri, and the other for Balasore. Each of these officers had a large staff under him.³⁵

After the attestation of records, there came the more important question of the settlement of rents.³⁶ Settlement of fair rents and the assessment of Government revenue proved difficult in Orissa because of the long time which had elapsed since the previous settlement, the number of privileged tenures, and the cumbrous nature of the procedure of the Tenancy Act.³⁷

Shortly after his assumption of charge of the administration of Bengal, Sir Alexander Mackenzie's attention was attracted to the slow progress of the resettlement operations in Orissa, where the existing settlement was to expire in September 1897. The traverse and cadastral survey had been completed, but the settlement portion of the work had not proceeded beyond the stage of attestation. The settlement of rents

33. Maddox Report, Vol. I, P. C. Lyon to Board of Revenue, No. 1549S, 24 July 1900.

34. *Ibid.*

35. RAB, 1894-95, para 94.

36. Maddox Report, Vol. I, p. 288.

37. R.A.B. 1894-95, para 94.

and revenue had not been begun, except for a few unsuccessful experiments. The Lieutenant-Governor, therefore, wanted to expedite the settlement work in Orissa by the deputation of more Revenue Officers. But as there were already about 120 gazetted officers employed on settlement work in Bengal, it was not possible to withdraw more officers from the general work of administration without seriously hampering it. The only way to meet the difficulty was to reduce the pace of work in North Bihar where the survey portion of the work was already too far in advance of the settlement portion, so as to make more officers available for Orissa. In March 1896, proposals were submitted to the Government of India for prolonging the survey work in North Bihar to September 1900 and the settlement work to September 1902. The proposals were approved. Arrangement was made to engage those Bihar officers in settlement works in Orissa.³⁸

Sir Alexander Mackenzie approved of a scheme for the settlement of rents in Orissa. It recommended enhanced rents for the following considerations. There were a large body of tenants, whose rents had been stationary for sixty years. Many of them were assessed at the last settlement at privileged rents far below the ordinary rates. The cultivation had largely extended during the same period and there were considerable areas in the possession of both landlords and tenants that had never been assessed to rent. The following was the substance of the scheme:

- (a) In the case of *pahi ryots* of Orissa (whose rents the Zamindars were empowered to enhance, and did enhance during the past 60 years), the existing rents should be taken to be fair rents, unless application was made by the Zamindar for enhancement, or by the *ryot* for reduction.
- (b) In the case of *thani ryots* whose rents had not been altered during the term of the last settlement, rents should be proposed to them which would be some-

what lower than the completion rents paid by *pahi ryots*. The rents as proposed, if accepted by the ryots, should be recorded with their consent as the fair rents. If the rents proposed were not accepted, then fair rents should be settled in accordance with the provisions of Chapter X of the Tenancy Act, following the Civil Procedure Code and Tenancy Act Rules. The enhancements would be mainly based on the rise in prices that had taken place.

(c) In the case of *baziaftidars* and other privileged tenants, rents should be proposed in a similar manner. But it would be somewhat lower than those fixed for non-privileged tenants, and should, if accepted, be recorded as fair rents. If not accepted, rents were to be settled strictly in accordance with the procedure laid down in Chapter X of the Tenancy Act and the Government rules made under it.³⁹

It was pointed out that the scheme was not perfect but practical, and probably the best that could be devised under the existing law.⁴⁰

The order was passed that the excess lands found in the possession of tenure-holders were to be assessed to rent and settled with them as *ryoti* holdings.⁴¹

In accordance with the above rules, the rents were settled smoothly and at a moderate cost. They were generally acceptable to the people. The Assistant Settlement Officers were each able to settle fair rents for 4,000 tenants, on an average, every month.⁴² In the settlement proceedings rents were thus settled for all the tenants, including those who had holdings at privileged rents for the term of the expired settlement. The rents of *thani* and *pahi ryots* were thus settled: "The existing rents of the latter were, as a rule, left unaltered, whilst the rents of

39. Maddox Report, Vol. II, (Appendices), No. 11, Government of Bengal to Government of India, No. 238T-R, 12 May 1897.

40. RAB, 1895-96, para 128.

41. *Ibid*, 1894-95, p. 45.

42. *Ibid*, 1896-97, para 106.

the former were, if the *thani* rate was less than the village rate, which was calculated on the basis of *pahi* rents, not ordinarily enhanced by more than half the difference between the two rates.⁴³ The *Nisi Baziaftidars* and *Kamil Baziaftidars* or holders of resumed rent-free lands were given holdings for the term of the settlement of 1837 at half rates.⁴⁴ To prevent the hardship caused by a sudden enhancement of rents, they were assessed to rents much below those paid by *thani* or *pahi* ryots. *Jamabandi Kharidadars*, or the purchasers or recipients of proprietary rights in small plots of lands from the Zamindars, were treated as tenure-holders under the Bengal Tenancy Act. The rents were settled for them by deducting from the gross assets of each tenure a percentage equal to the percentage granted to them at the last settlement. The maximum limit of enhancement was fixed at 200 per cent or two-thirds of the full assessment of the cultivated area, whichever gave the lower figure.⁴⁵

The *lakhraj bahaldars* or holders of confirmed revenue-free lands, who possessed a permanent right to hold their lands free of land revenue, were left in possession of their lands free of rents. But all lands found in their possession in excess of those thus granted to them were assessed to rent. The rents of *Tankidars* or holders of small areas permanently assessed at a quit-rent, were not disturbed. But excess areas held by them were treated in the same way as those found in the possession of revenue and rent-free holders.⁴⁶

No general enhancement was made of the rents of *Chandina* tenancies, either in villages or in towns. But excess areas were assessed to rents. It resulted in a nominal enhancement. The homesteads and other lands confirmed as tenable without payment of rent at the last settlement were left unassessed. The *jagirs* of village servants were regranted to them, while those of chaukidars, *patwaris*, *khandait*s and *paiks* were resumed and

43. RAB, 1901-1902, pp. 120-121.

44. *Ibid.*

45. Maddox Report, Vol. I, P.C. Lyon to Board of Revenue, No. 1549S, 24 July 1900.

46. *Ibid.*

assessed to rent. Lands held in *khas* possession by the proprietors were assessed to revenue at their "letting value", and the amount thus assessed was included in the assets of the estate.⁴⁷

The rents of all classes of tenants were fixed for the term of the settlement. S. L. Maddox, the Settlement Officer estimated that about 54 per cent of the rents were retained unaltered, 13 per cent were increased on the ground of excess area, 24 per cent were enhanced on other grounds, while 3 per cent were reduced for loss of area and 6 per cent were tenancies newly assessed.⁴⁸ The general result of the settlement of rents were as follows:⁴⁹

The rents assessed at the settlement of 1837 stood at Rs. 21,38,200, which the Zamindars raised to Rs. 34,09,900, or 59 per cent, during the term of the settlement. At the settlement of 1897 they had been assessed at Rs. 38,67,600 or 80 per cent over the rents at the commencement of the settlement of 1837 and 13 per cent over those of the existing assets. The enhancement of 13 per cent was mainly due to the increase obtained on the rentals of the class of tenants locally known as *Nisi bazyaftidars*.⁵⁰

Important correspondence passed during the year 1897-98 between the Government of Bengal, the Government of India and the Secretary of State on the subject of the Orissa settlement. The proportion of the rental to be taken as revenue and the duration of the new settlement, were among the principal questions considered and finally settled.

The percentage taken at the settlement of 1837 was 65 per cent. This was taken on the assumption that no remissions were to be granted in exceptional years, and as a matter of fact, there had been no remissions since 1867. Sir Alexander Mackenzie consulted the Collectors of the three districts, and Macpherson, the Director of Land Records and Agriculture and S. L. Mad-

47. Maddox Report, Vol. I, P.C. Lyon to Board of Revenue, No. 1549S, 24 July 1900.

48. RAB, 1901-1902, para 233.

49. *Ibid*, 1899-1900, p. 44.

50. *Ibid*, 1901-1902, para 233.

Land Revenue Administration

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District	Number of holdings at the settlement of 1879	Area assessed		Assets		Incidence of rent per acre				
		At the settlement of 1837	At the settlement of 1897	At the settlement of 1837	At the settlement of 1897	existing	settled			
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Cuttack	660,600	621,000	822,500	11,21,000	18,47,400	20,72,900	1	14	0	2
Balesore	370,290	493,200	692,200	5,75,600	9,88,800	11,51,400	1	2	8	10
Puri (without Khurda)	204,400	302,400	373,300	4,41,600	5,73,700	8,43,300	1	7	4	11
Total	1,225,290	1,416,600	1,888,000	21,38,200	34,09,900	38,67,800	1	8	0	13
							0	2	1	0

dox, the Settlement Officer, at a conference held at Lal Bagh, Cuttack in January 1897, on the percentage of assets to be taken by Government. There were three main considerations in that task. Firstly, 35 per cent was the normal percentage left to the Zamindars at the settlement of 1837. Secondly, the normal percentage of assets taken throughout India and approved by the Government of India was 50 per cent. Thirdly, having regard to the exceptional circumstances of the Central Provinces, the Government of India sanctioned a percentage varying from 50 to 65 per cent. The Lieutenant-Governor was, therefore, of opinion that in Orissa the Zamindars should be left with no less than 40 per cent of the assets and the normal percentage to be taken by Government should be 55 per cent.⁵¹

After the consideration of the above proposal of the Government of Bengal, the Government of India suggested the following to the Secretary of State as the basis of assessment:

1. In place of the 60 to 70 per cent of the last settlement, the Government share of the assets should be fixed at from 55 to 60 per cent as land-revenue. But the cost of the land record establishment should be met by a separate cess as in other provinces.

2. In view of some special circumstances, the Government of India would ordinarily be content with from 50 to 55 per cent. Whenever it would be proposed to take below 50 or above 55 per cent, the sanction of the Board of Revenue should be obtained. Within those limits, the Settlement Officer would use his discretion with reference to the circumstances of each case.⁵²

George Francis Hamilton, the Secretary of State for India, approved of the suggestions of the Government of India. He wrote: "The settlement you consider eminently moderate, it is in fact identical with the proposals of the Bengal Government, and I am prepared to agree, on the understanding that the per-

51. Maddox Report, Vol. II (Appendices) No. 10, Notes of a Conference held at Lal Bagh, Cuttack, on 25 and 26 January 1897.

52. *Ibid*, No. 12, Government of India to Government of Bengal, No. 2397-192-Z, 13 October 1897.

mission to go "about 55 per cent," given in the next paragraph of your Secretary's letter to the Government of Bengal is very sparingly used. The responsibility of fixing assessments which will allow of the increasing prosperity of the agricultural population rests on Your Excellency's Government, and I do not desire to limit your discretion."⁵³ The actual percentage of the assets taken was '54. The results of the resettlement of revenue are shown in the following table:⁵⁵

District	Existing assets	Existing revenue		Settled assets	Settled revenue	
		Percen-	Amount		Percen-	Amount
		Rs.	Rs.		Rs.	
Cuttack	18,47,400	38	7,14,100	20,72,900	53	10,99,300
Balasore	9,88,800	38	3,77,290	11,51,400	55	6,29,073
Puri	5,37,700	51	2,92,800	6,43,300	58	3,76,700
Total	34,09,900	41	13,84,190	38,67,600	54	21,05,073

The percentage of increase of revenue amounted to 54 in Cuttack, 67 in Balasore, and 28 in Puri, or 52 for the three districts.⁵⁶

The incidence of the new revenue per acre is compared with that of the revenue at the settlement of 1837 in the table below.⁵⁷

District	Assessed area		Assessed Revenue		Incidence	
	Settlement of 1837	Settlement of 1897	Settlement of 1837	Settlement of 1897	Settlement of 1837	Settlement of 1897
	Acres	Acres	Rs.	Rs.	Rs. A P	Rs. A P
Cuttack	6,21,000	8,22,500	7,14,100	10,99,300	1 2 5 1 5 5	
Balasore	4,93,200	6,92,200	3,77,290	6,29,073	0 12 3 0 14 6	
Puri	3,02,400	3,73,300	2,92,800	3,67,000	0 15 6 1 0 2	
Total	14,16,600	18,88,000	13,84,190	21,05,073	0 15 7 1 1 10	

53. Maddox Report, Vol. II, p. 134, Secretary of State for India to Governor-General of India in Council, No. 20 Rev. 3 February 1898.

54. RAB, 1901-1902, p. 121.

55. *Ibid.*

56. Maddox Report, Vol. I, P.C. Lyon to Board of Revenue, No. 1549S, 24 July 1900.

The result of the settlement on the income of the Zamin-dar is summarised below:⁵⁷

<i>District</i>	<i>Income before settlement</i>	<i>Income after settlement</i>	<i>Percentage of reduction</i>
	Rs.	Rs.	
Cuttack	11,33,300	9,73,600	14
Balasore	6,11,510	5,22,327	14
Puri	2,80,900	2,66,600	5
Total	20,25,710	17,62,527	11

Period of Settlement

A great controversy arose on the term of the settlement. Sir Antony MacDonnel, when officiating as Lieutenant-Governor of Bengal in 1893, felt that the term for which settlement was to be made could not be determined without knowing what degree of development the tract under settlement had reached, and the probability of its future development by roads, railways and similar considerations. He thought that if Orissa was connected by railway with Calcutta on one side and Bombay via Sambalpur on the other, a great era of prosperity would usher in. The prices of produce would rise and as a result the increase of rents might be obtained. He recommended that the ensuing settlement of the province should be only for 15 years. At the Cuttack Conference of January 1897, the question of the term of the settlement was fully discussed. Sir Alexander Mackenzie agreed with Sir Antony MacDonnel, but recommended that the period of the settlement should be 20 years.⁵⁸ The Government of India was of opinion "that it would be most unwise to fix the demand in Orissa for 30 years at the very moment when the province was

57. Maddox Report, Vol. I, P.C. Lyon to Board of Revenue. No. 1549S, 24 July 1900.

58. *Ibid*, Vol. II (Appendices), No. 11 Government of Bengal to Government of India, No. 238-T-R, 12 May 1897.

being opened out by great expenditure from the public chest.”⁵⁹ They approved of the proposal for a 20 years’ term.⁶⁰

The proposal of the Government of India was sent to the Secretary of State for India. Lord George Hamilton replied: “I am not able, however, to concur in your view regarding the term for the Orissa settlement. The province has enjoyed two successive 30 years’ terms of settlement, the people expect a 30 years’ settlement; the present settlement is expected to yield an increase of 56 to 68 per cent in the revenue, and I do not see sufficient ground for reducing the term to 20 years.”⁶¹ He referred to his Despatch of October 1895⁶² which was briefly to the effect that when a reasonable expectation of any term had been created in the minds of the people by past practice, that term should be adhered to “unless certain exceptional circumstances exist of such a nature as to justify the disappointment of the expectation.”⁶³ The term of the settlement was accordingly fixed at 30 years.⁶⁴

Financial Results of the Settlement

The rents assessed at the settlement of 1837 stood at Rs. 21,38,200, which the Zamindars raised to Rs. 34,09,900, by 1897. At the settlement of 1897, they were assessed at Rs. 38,67,600 or 80 per cent over the rents of the settlement of 1837 and 13 per cent over those of the existing assets.

Of the assets of Rs. 21,38,200 of the settlement of 1837, Government took a revenue of Rs. 13,84,190, or 64 per cent of the assets. Thus the balance of Rs. 7,54,010 was left as the income of the Zamindars. They subsequently raised it to Rs. 20,25,710 during the period of the settlement. Of the assets

59. Maddox Report, Vol. II (Appendices), No. 12, Government of India to Government of Bengal, No. 2397-192-Z, 13 October 1897.

60. *Ibid.*, p. 124, Secretary of State for India to Government of India, No. 20 Rev, 3 February 1898.

61. *Ibid.*

62. Maddox Report, Vol. II (Appendices), No. 12, Government of India to Government of Bengal, No. 2397-192-Z, 13 October 1897.

63. RAB, 1897-98, p. 35.

of Rs. 38,67,600 of the settlement of 1897, Government fixed Rs. 21,05,073, or 54 per cent, as the revenue demand. Thus the balance of Rs. 17,62,527 was left as the income of the Zamindars.

The result had been that while the Government revenue was raised by 52 per cent, the income of the landlords had diminished from Rs. 20,25,710 to Rs. 17,62,527 or by 13 per cent on their existing profits.⁶⁴

This settlement was naturally regarded by the Zamindars with considerable apprehension. They had for sixty years been enjoying increasing incomes from their estates, while the revenue demand remained fixed. But in the settlement of 1897, some reduction of income among the landlords was inevitable.

The cost of survey and settlement operations, which had brought in an increase of about Rs. 7,20,000 of land revenue, amounted to Rs. 30,60,400 or Rs. 637 per square mile. The outlay would thus be covered in four years.⁶⁵

Operation of the Sale Laws

The security of the Government revenue depended upon the sales of estates for arrears of revenue. Under Regulation X of 1818, whenever instalments were not paid up within the month in which they were due according to the settlement list of instalments for each estate, the Collector could issue a certificate called *talab chitti* or *dustuk* to the defaulter, and proceed to attach and sell his estates to realize the overdue sums mentioned in the certificate, if the whole was not paid up before the date fixed for sale.⁶⁶ Recourse to this kind of sale procedure resulted in a realisation of about 95 per cent of the demand. But it was certain to produce a ruinous effect. While writing on the fiscal history of Balasore, S. L. Maddox remarked: "The introduction and enforcement of the Revenue Sale Law was

64. RAB, 1899-1900, p. 44.

65. Land Revenue Report, 1899-1900, pp. 37-38.

66. Maddox Report, Vol. II (Appendices), pp. 393-394, Note by H. D. Demcarry, Collector of Cuttack, 17 June 1899.

perhaps the most unfortunate feature of our early rule. I am unable to give precise figures of the sales, but it may be estimated that at least half the estates in the District changed hands between 1805 and 1822 and the policy was certainly disastrous as regards the old hereditary official families very few of whom were left at the last settlement.”⁶⁷

Regulation XI of 1822 did away with the necessity for the issue of *dustuk* and attachment of estates before sale and provided for sale after due notification of the arrears. In fact no advantage was taken of the provisions, and *dustuks* continued to be issued as before.⁶⁸

The *dustuk* system was disliked by many officers. It created a lot of discontent among the proprietors as they took it to be an extremely coercive measure resorted to for collection of revenue. It induced habits of carelessness and extravagance, by leading the proprietors to believe that they could stave off from time to time their payments to Government. It led to the exactions of the peons in whose hands the enforcement of the payment lay. They doubled or trebled the amount of the Government demand. But the excess never reached the Government coffers. In its memorandum of 1873, the Board of Revenue commented: “It may of course, be retorted that good management on the part of the Collector should prevent such exactions; but the fact is that effective control in such a matter is impossible in Bengal, in the absence of any trustworthy *mofussil* staff, whatever it may be in provinces where the Collector is thus supported and assisted.”⁶⁹

In November 1853, the Government of Bengal directed the Board to order the discontinuance of *dustuks*, and the system was abolished on 1 January, 1854.⁷⁰

In November came the new sale law, the Act XI of 1859

67. Maddox Report, Vol. II (Appendices), pp. 430-431.

68. *Ibid*, pp. 393-394, Note by H. D. Demcarry, Collector of Cuttack, 17 June 1899.

69. Memorandum on the Revenue Administration of Lower Provinces of Bengal, 1873, para 122.

70. Maddox Report, Vol. II, pp. 393-394.

which improved the law relating to sales of land for arrears of revenue. The following were the main provisions of the Act. The Board was to fix the latest days of payment, for all arrears of revenue. Every estate should be sold if all those arrears were not paid up by those latest days.⁷¹ It discontinued the practice of obtaining the previous sanction of the Board of Revenue to sales of estates for arrears of revenue. It enabled the sharers of joint estates held in common tenancy, to acquire the privilege of protecting their shares by paying up their own portion of the Government revenue, whether the other sharers paid up their portion or not. The Act enabled a proprietor of an estate, by the deposit of money or Government securities, to preserve his estate, from all risk of sale by reason of any accident or neglect on the part of any agent. The Act made provision for giving the purchaser at an auction sale the possession of his purchase.⁷²

The introduction of the new sale law satisfied the proprietors of most estates. After the first year or so, when they became thoroughly conversant with the law and its requirements, sales became very infrequent. It was believed that very few cases really occurred, except where proprietors had allowed their estates to fall into arrear for the express purpose of bringing them to sale.⁷³ In 1871 when the Board of Revenue consulted the Commissioners of various divisions of Bengal, on the working of the law, the Commissioner of Orissa wrote: ".....while the number of sales has since the time of the settlement been decreasing, the prices realised by estates have very remarkably increased, showing the comparative increase in the value of landed property. Whatever may have been the case formerly, he does not think that in recent years, estates have been sold through inability to pay the revenue assessed on them; they are brought to sale either on account of disputes between sharers, or to meet demands of creditors, and in order

71. Maddox Report, Vol. II, pp. 393-394.

72. C. E. Buckland. *Bengal under the Lieutenant-Governors*, Vol. I, pp. 56-57.

73. Memorandum on the Revenue Administration of Lower Provinces of Bengal, 1873, para 122.

to secure a good price to the seller and a good title to the purchaser."⁷⁴

The sale law was not worked with any undue severity or harshness by the Collectors.⁷⁵ The following table shows how the sale law was worked with leniency.⁷⁶

<i>Year</i>	<i>Number of estates liable to sale</i>	<i>Number actually sold</i>	<i>Percentage of actual sales to number liable</i>
1900-01	1,557	56	3.6
1901-02	1,460	43	2.9
1902-03	1,269	46	3.6
1903-04	1,030	36	3.6
1904-05	716	29	3.07

On the whole, the working of the sale law was satisfactory. It gave the proprietors a means of obtaining the very highest value for their property. The punctuality with which the Government demand was to be met, under forfeiture of the estates in arrears, induced habits of forethoughts and thrift. It worked well, both for the interests of the Government and of the proprietors. No serious complaint was made against it. It was said that no other system of enforcement of the Government demands would probably be found so beneficial or so acceptable to all parties concerned.⁷⁷

The Landlord and the Tenant

The period of sixty years from 1837 to 1897 was of particular significance in the relation between landlords and tenants. It saw the development of the rights of the tenants with which the landlords were gradually reduced to insignificance. Of course, it was only in theory. In practice their condition

74. Commissioner of Orissa to Board of Revenue, No. 417, 14 August 1871.

75. RAB, 1882-83, p. 67.

76. J.F.W. James, Final Report on the Revision Settlement of Orissa, 1906-1912, pp. 37-38.

77. Memorandum on the Revenue Administration of the Lower Provinces of Bengal, 1873, pp. 77-79.

was substantially what it was before they were armed with rights. Due to slow progress of education, their consciousness developed very slowly. Moreover, they were too poor to oppose the wealthy Zamindars. The result was the same old tyranny of the Zamindars. The relation was extremely bitter but it was not strained to a dangerous pitch as in other parts of Bengal. The reason was that the tenants of Orissa were more backward both economically and educationally than those of any other division of Bengal.

At the British conquest it was found that the cultivated lands of the *Mughalbandi* were tilled by two classes of *ryots*—*thani* or resident cultivators, and *pahi* or non-resident cultivators. The *thani ryot* had a hereditary right of occupancy in their lands. The *pahi ryots* were mere tenants-at-will.

The advantages enjoyed by the *thani ryots* were many. They held their homestead and garden land rent free. The *thani* lands were the best in the village. The *ryot* enjoyed communal rights to pasture, firewood and thatching grass. He could not be ousted so long as he paid his rent. The possession of these advantages increased his importance in the eyes of his neighbours and strengthened his credit with the *mahajan*. On the other hand, his rent was much higher than that paid by the non-resident *ryots*. He groaned under the extra contributions and impositions exacted from him by his landlord to meet increased Government demands. They were often so excessive as to swallow up all the profits of cultivation. The *thani ryot* reduced to despair, was often compelled to abandon his home. The *pahi ryot* paid a much lower rate of rent than his *thani* brother, but on the other hand, he was liable to be turned out of his holding at any moment.⁷⁸

In the settlement of 1837-45, there was much correspondence about the status and rights of the *thani* and *Pahi ryot*. As regards the incidents of their holdings, *thani* and *pahi ryots* were left in much the same position as they had been found, that is, the hereditary right of occupancy of the *thani ryot* was confirmed, whereas the *pahi ryot* was left a mere

tenant-at-will. The former were granted written *pattas* which effectually checked the possibility of oppression on the part of the Zamindars. There was considerable discussion as to whether *pahi ryots* should not also be granted *pattas*. In August 1837 the Government ruled that *pattas* should never be given to *pahi* cultivators, as it would create a false impression of right of occupancy.⁷⁹

Another privilege granted to the *thani ryots* in the settlement of 1837 was that of fixity of rent for the term of the settlement. This privilege became important during the term of the settlement of 1837, and the term was extended in 1866 for a second term of thirty years. In 1837 all the local officers were in favour of extending this privilege to *pahi ryots* but they were over-ruled by Government.⁸⁰ As a result, their rents were enhanced from Rs. 21,38,200 to Rs. 34,09,900 during the term of the settlement of 1837.⁸¹

The next great step in the history of the development of rights of the tenants was the enactment of Act X of 1859. This not only defined more clearly the rights of *thani ryots*, but also conferred the boon of occupancy rights on *pahi ryots* who had been in possession of their holdings for twelve years or more. *Pahi ryots* with occupancy rights were placed in all respects, except one, on the same footing as *thani ryots*. The only distinction was that the rents of the former remained liable to alteration on the specific grounds laid down in Sections 17 and 18 of the Act. In other words, they were liable to enhancements on the grounds of prevailing rate, excess area, and improvement of lands by landlords and to reduction on the ground of diminished area and deterioration in productive powers.

The incidents common to both were as follows. The *ryot* could not be ousted except in execution of a decree for arrears of rent. The holding was divisible among the heirs, though

79. Maddox Report, Vol. II, pp. 607-608.

80. J. F. W. James, Final Report on the Revision Settlement of Orissa, 1906-1912, p. 2.

81. RAB, 1899-1900, p. 44.

the rent could not be divided without the landlord's consent. It was not transferable without the landlord's consent. It was not transferable without the landlord's consent. It was relinquishable after service of due notice. It was not annulable by a sale for revenue arrears. The full rent was payable irrespective of calamity of season save in Rahang, Serai, Chöwbiskud and Lembai, where the *ryot* was entitled to remission for loss of crop.⁸²

The last stage in the development of *ryoti* rights had been the settlement of 1897, spreading over a period of eight years and involving the extension of many sections of Bengal Tenancy Act to Orissa. In 1891, the Chapter V of the Bengal Tenancy Act was extended to Orissa. The alterations in the law of *ryoti* rights that were effected by the extension of the Act were chiefly twofold. Firstly, there was the distinction between Section 6, Act X of 1859 and Section 20 of the Bengal Tenancy Act. Under the former, a *ryot* acquired occupancy rights only in the land which he had held continuously for twelve years. Under the latter a *ryot* became a settled *ryot* in the village if he had any land in the village for twelve years, and he acquired occupancy rights in all land in his possession, or that might subsequently come into his possession in the village. Also the burden of disproving occupancy was laid upon the landlord. Secondly, there was the distinction between Section 21, Act X of 1859, and Section 65 of the Bengal Tenancy Act. Under the former an occupancy *ryot* was liable to ejectment for arrears of rent. Under the latter his holding became liable to sale and the *ryot* became entitled to the balance of the proceeds.⁸³

Though the *pahi ryot* was legally raised to the level of the *thani ryot* by the alterations introduced by Act X of 1859, and Bengal Tenancy Act of 1885, the old distinction continued with more or less strength according to the varying character of the relations between landlord and tenant. The settlement operations extending from 1889 to 1899 help-

82. Maddox Report, Vol. II (Appendices), p. 609.

83. *Ibid.*

ed a great deal to remove that distinction in practice. S. L. Maddox pointed out: "It is impossible to exaggerate the educational effect that settlement operations had from the first in teaching the *pahi ryots*, the nature of their previously existing rights, and in granting them security of tenure"⁸⁴ By contact with revenue officers engaged in settlement operations for 10 years, the *ryots* became conscious of their rights and began to appreciate the strength of their position. Most of them were no longer prepared to submit to the whim of the landlords.⁸⁵

The name *pahi* tenant disappeared from the settlement records. As a matter of fact, this class of tenant ceased to be non-resident. He settled down on his cultivation. Under the operation of the Bengal Tenancy Act, he had become an occupancy *ryot* with all the rights and privileges which the Act had given. The status of all the tenants had been classified in the settlement records according to the Act. It was believed that there was no part of Bengal in which, under the joint operation of the law and record, the protection of the tenant was more complete than it was in Orissa.⁸⁶

In 1871 the question of interference between landlord and tenant was raised. It was known that the landholders were in the habit of levying, on various pretexts, on their tenantry a great variety of cesses, in addition to the payments due from the latter. But it had usually been held that the matter was one with which the Government officers could properly interfere. Moreover, if the tenants were forced to submit to illegal enhancements or *abwabs*, they had been provided with the means of contesting them in the court by the Act X of 1859.⁸⁷

The subject came into fresh prominence in 1871 by certain investigations carried out by the local authorities in

84. Maddox Report, Vol. II (Appendices), p. 609.

85. Land Revenue Report, 1903-04, p. 8.

86. RAB, 1901,1902, pp. 120-121.

87. Memorandum on the Revenue Administration of the Lower Provinces of Bengal, 1873, p. 142.

Balasore. It showed that in some places the exactions of the Zamindars had reached the limit of most serious oppression, while the people had not the strength or the intelligence to assert their rights.^{**}

The following were cesses, *abwabs*, or illegal exactions imposed by the Zamindars of Balasore:

- (1) *Dak Kharcha.* Fees paid for postal expense under Act VIII of 1862 (B.C.).
- (2) *Tar Kharcha.* A rate to pay for telegraph expenses.
- (3) *Iskool Kharcha.* To cover the Zamindar's subscriptions to the Government schools.
- (4) *Tikkus.* Income-tax
- (5) *Sunia Salami.* Present paid at annual audit of accounts.
- (6) *Tahrir Kharcha.* Present to the *maharirs* who wrote out the receipts.
- (7) *Babarta Rusum.* Present to Zamindar's head agent.
- (8) *Basant Panchami.* Present at the festival so called.
- (9) *Salami.* Annual present to Zamindars for renewal of leases by tenants-at-will.
- (10) *Khurra Punnee.* Present to inferior *maharirs* for issue of receipts.
- (11) *Digwar Kharcha.* Present to Zamindar for keeping up an establishment for collecting rents.

The above exactions were of a regular nature. The casual exactions on special occasions were:

- (1) *Rassud Kharcha.* A general levy for supplies to camp of Magistrate or Assistant Magistrate when he visited the estate.
- (2) *Rahdari Kharcha.* Levy for costs of supplies given to regiments marching through the district.

- (3) *Gasta Kharcha.* Levy for supplies to the Zamindar when he visited any part of his estate.
- (4) *Baruni Asnam.* Sum raised when Zamindars go to bath at the festival at Jajpur.
- (5) *Mandir Kharcha.* Sum raised to meet the cost of building a temple.
- (6) *Bibha Rusum.* Fees paid when a ryot's son or daughter is married.
- (7) *Jammabeshi.* Additions made to the ryot's jamma whenever the Zamindar was in want of money.
- (8) *Ghura Kharcha.* Cost of finding Zamindar's horses.
- (9) *Purusottam Kharcha.* Money collected to defray expenses when Zamindar went on pilgrimage to Puri.
- (10) *Magna.* A sum exacted over and above the rent at irregular times to meet any sudden demand on the Zamindar.
- (11) *Hathi Kharcha.* Fees paid to meet the cost of keeping the Zamindar's elephants.
- (12) *Kanungo Kharcha.* A sum levied whenever the *Kanungo* served a notice on the Zamindar, ostensibly to satisfy that officer, but frequently got no further than the Zamindar's pocket.
- (13) *Amin Kharcha.* Sum levied whenever the Zamindar used to send an *amin* to make a local investigation or to measure land.
- (14) *Hakim Kharcha.* Sum levied when the police visited the estate, or when the Zamindar went his rounds.
- (15) *Mukuddam Kharcha.* A fee levied by the headman of the village by the aid of Zamindar's peons.
- (16) *Piada Fandkar.* A fee levied to pay salary of peons employed by the Zamindar.
- (17) *Hathbhara Mahaprasad.* When the Zamindar returned from Puri, he brought some of the sacred

food called *Mahaprasad*. Each *ryot* had to take a handful of this and pay for it.⁸⁹

Although a full account of the levy of the illegal cesses by Zamindars was first received from the district of Balasore, subsequent inquiries in other districts, brought to light a state of affairs very general in all parts of Orissa.

T. E. Ravenshaw, the Commissioner of Orissa, wrote to the Board of Revenue: "There are few, if any, Zamindars who do not more or less in some form or other, levy cesses over and above the settlement rents, and in excess of the legitimate demands due on agreements with their tenantry."⁹⁰

The rural population in Orissa were absolutely and entirely ignorant of law or of their rights. Even where they might know that these demands were unauthorised, they were too weak, indolent, or timid, to make any complaint. Ravenshaw said: "Our laws, rules, acts and penalties were known only to a few of the hangers-on about the courts, and to a certain degree among the more educated and advanced Zamindars; below this upper crust the force of custom and dustoor is mofussil law, and it is now little in advance of what it was in the time of Mahrattas. It is a painful fact, that notwithstanding our detailed settlement fixing the rent of every field to be paid by the *ryots* to their Zemindars, and the revenue payable to Government by the Zemindars, such gross abuse should be possible; and in the face of daily increasing direct taxation, I think it a duty we owe to the people to put a stop to these unauthorised cesses."⁹¹

In regard to measures to protect the tenants, T. E. Ravenshaw suggested to the Board of Revenue:

"Without special legislation the demand for or receipt of an unauthorised cess or *abwab*, unless attended by violence and intimidation, does not come under Sections 384 or

89. BRP (Land Revenue), December 1871, Collector of Balasore to Commissioner of Orissa, No. 382, 30 August 1871.

90. *Ibid*, No. 41, Commissioner of Orissa to Board of Revenue, No. 218, 11 September 1871.

91. *Ibid*.

385 of the Penal Code, and the remedy provided by Section 23, Clauses 2 and 3 of Act X of 1859, is unattainable by a weak and demoralized and pauper *ryot*, having nothing but the fear of his Zemindar before his eyes..... The levy of *abwabs* and cesses is distinctly prohibited not only in Section 9, Clause 1 of Regulation VII of 1822, but also in Section 14, Clause 12, of Regulation XII of 1805; and though no penalty is provided for breach of the law, I should be disposed to look on the Zemindar's conduct as a breach of the terms of his settlement with Government and warranted a concealment of his engagement. The present settlement Act X of 1867 (B.C.) provides for the management of estates of recusant Zemindars under Sections 3 and 5 of Regulation VII of 1822, and that Regulation in Section 8 authorises the Government to take under *khas* management estates where the continued oppression of any Zemindar may be seriously detrimental. It appears to me that the cases now reported on are of this nature, and that the action of Government is fully warranted; and I would recommend, that in order to afford protection to the *ryots* of these estates, and to act as a warning to other Zemindars, they may be taken over on the ground that the Settlement Compacts with the Zemindars have not been adhered to, and that their misconduct has rendered them unfit to continue to manage the estates."⁹²

While concurring in the views of the Commissioner, the Board of Revenue commented:

"This remedy, though undoubtedly severe, is not too severe for a determined and persistent disobedience of the law, and for continued exactions from, and oppression of the *ryots* whom the proprietor is bound to protect, or at all events to treat with a due regard to existing laws."⁹³

Sir George Campbell, the Lieutenant-Governor of Bengal, after full consideration of the report of the Board of

92. BRP (Land Revenue), December 1871, No. 41, Commissioner of Orissa to Board of Revenue, No. 218, 11 September, 1871.

93. *Ibid*, December 1871, No. 42, Board of Revenue to Government of Bengal, No. 225A, 12 November 1871.

Revenue, came to the conclusion that in Orissa some special measures were necessary for the protection of the *ryots* and for the punishment of those Zamindars who were shown to have most flagrantly violated the law. He recommended the following remedial measures for adoption, (1) three proprietors in Orissa (two in Balasore, and one in Puri) should be deprived of the management of their estates under provisions of Section 3, Regulation VII of 1822; (2) a field survey for irrigation purposes should be instituted in Orissa; (3) the field survey should be combined with a recordal of rights.⁹⁴

The Governor-General in Council declined to sanction the special measures recommended by the Lieutenant-Governor for the protection of Orissa *ryots*.⁹⁵ The Secretary of State agreed with the Government of India.⁹⁶

At the instance of the Secretary of State, the Government of India awaited further communication on the subject from the Government of Bengal. In February 1875, H. G. Reynolds, the Secretary to the Government of Bengal, conveyed the views of the Lieutenant-Governor as follows:

"I am to point out that the conditions of the question have somewhat altered since the enquiries on the subject were held in 1871. The peasantry of Orissa are probably still in a more backward state than the *ryots* of other districts in the Lower Provinces; they are imperfectly acquainted with their rights, and are but little disposed to claim the protection of law. But from recent reports from the local authorities, and from what the Lieutenant-Governor himself saw of the condition of the province during his recent visit, it appears certain that the ignorance, obstructiveness, and timidity which formerly characterised the people are steadily, though it may be slowly, giving place to a spirit of intelligence and independence. The last administration report

94. BRP (Land Revenue), February 1875, Secretary of State for India to Government of India, No. 9, 19 March 1874.

95. *Ibid*, Government of Bengal to Government of India, No. 351, 12 February 1874.

96. *Ibid*, Secretary of State for India to Government of India, No. 9, 19 March 1874.

of the Commissioner of Orissa contains some striking remarks upon the advance which the province is making not only in material wealth, but in social and intellectual progress; while there is a noteworthy absence of the complaints which were formerly rife, of oppression on the part of the Zemindars towards their tenantry. On the whole, the Lieutenant-Governor finds reason to believe that in Orissa the question of Zemindary cesses is tending towards a natural and peaceful solution, and consequently he does not think it necessary to recommend that any special measures should be adopted in the province.'⁹⁷

Sir Richard Temple, the Lieutenant-Governor, concurred with his predecessor that "while cases of the extortion of illegal cesses by violence should not be suffered to go unpunished, and while district officers may properly interfere in instances of clear oppression (if such instances should unhappily occur), the question may in general be left to adjust itself in the manner which will naturally result from the gradual spread of education, intelligence, and independence among the classes from which these cesses have hitherto been levied."⁹⁸

The Government of India and the Secretary of State approved of the above noted views of the Lieutenant-Governor. Accordingly, nothing further was done in interfering between landlords and tenants beyond issuing the following instructions to the Magistrates. They were directed that if in any case the Zamindar caused oppression to the tenants for realizing the *abwabs*, only in that case the Magistrate should interfere and remove it through lawful means. In other cases they were not authorised to interfere. Further, they were informed: "As the Government did not take any step against the practice of imposing illegal cesses, it does not consider the practice to be legal. The practice is illegal now and will be

97 BRP (Land Revenue), February 1875, H. G. Reynolds, Secretary to the Government of Bengal to Government of India, No. 351, 12 February 1875.

98. *Ibid.*

illegal in future. With the spread of education among the tenants, they will be conscious of their rights and *abwabs* will gradually disappear.”⁹⁹

The levy of illegal cesses, in addition to rent, continued to prevail more or less throughout the province. The *ryots* rarely objected to the payment of such customary cesses as long as there was no tension.¹⁰⁰ It was recognised that any such payments were either purely voluntary or paid as a matter of policy, and were “indicative rather of patriarchal relation and good feeling than of oppression and violence.”¹⁰¹

An attempt was made during the attestation of 1894-95 to ascertain what collections were made by Zamindars in excess of the amount which they were legally entitled to receive. S. L. Maddox, the Settlement Officer, stated: “The information collected varied from *pargana* to *pargana* and estate to estate, even from village to village. Being an irregular levy, it depended entirely on the relation existing between landlord and tenant; where the former was powerful and oppressive, and the latter ignorant and weak, many sorts of illegal exactions were realized. Where the *raiyats* were well-to-do and combined, they paid nothing beyond their legal dues.”¹⁰² In 1904 the Board of Revenue observed: “The levy of illegal cesses in addition to the rent is still common in the province. Custom, tradition and homage to landlords and a desire to live in amity with them explain the acquiescences of the tenants to these demands in some cases, while in others, small concessions received, abstention from enhancements which could be legally made, ignorance of the law, and inability to resist, account for their submission. The tenants are gradually becoming acquainted with the provisions of Section 75 of the Bengal Tenancy Act, but no suits have been brought under them. A real check, however, is imposed by the record of rights in the surveyed districts or tracts.”¹⁰³

99. RAB, 1875-76, pp. 40-45.

100. Land Revenue Report, 1898-99, p. 55.

101. BRP (Land Revenue). December 1900, Board of Revenue to Government of Bengal, No. 1304A, 7 November 1900.

102. Maddox Report, Vol. II (Appendices), p. 467.

103. Land Revenue Report, 1903-1904, p. 8.

The district officers were of opinion that the record and settlement of fair rents had greatly improved the position of the tenantry. They were no longer so much at the mercy of the Zamindars. The system of granting printed cheque receipts and accounts, provided by the Bengal Tenancy Act, further secured the *ryots* against ill-treatment by the Zamindars. The tenants were, however, gradually realizing their position and awakening to a sense of their rights and privileges.¹⁰⁴ The Resolution of the Government of Bengal dated 17 November, 1899 contained following observations:

"The relation between landlord and tenant is in a state of transition from the patriarchal type to that of strict legal contract. This state of transition is, in their belief, not satisfactory to either party. This is true of all transitions, and the end, which the legislature had plainly in their view, must be patiently awaited. The progress towards it may be slow, but it was not to be desired that it should be rapid. Unless the new adjustment is gradual in its effect, the relations which the Board describe as fairly satisfactory, would necessarily be strained. The Government could desire no better verdict than that which the Board had given. Evasions and revolts there must be, as the change works on and indeed will be when the consummation is reached."¹⁰⁵

Another matter for which Government interference became necessary was the system of fractional payments of rents to joint proprietors. The local officers were unanimous in deplored the evils of the system. The Commissioner of Orissa observed: "In my opinion payment of rent by tenants to several fractional owners separately is productive of the greatest confusion, annoyance and injury. An estate paying a revenue of Rs. 300 often has as many as 25 or 30 proprietors, whose shares are in some cases so minute that they can only be described by fractions of a cowrie. The *ryots* are generally an uncomplaining class, but cases have come to light in which they

104. Land Revenue Report, 1899-1900, p. 68.

105. *Ibid*, 1898-99, Resolution of the Government of Bengal, No. 40141R, 17 November 1899.

have suffered severely from this multiplicity of Zamindars.”¹⁰⁶ On this subject the Collector of Cuttack said: “In the whole circumstances regulating the position of landlord and tenant there is nothing so detrimental—I might say ruinous—to the ryot as the number of persons who claim to exercise the power of landlord over him.”¹⁰⁷

The Lieutenant-Governor also felt that to pay his rent to several fractional owners separately was most unfair to a tenant. In a judicial capacity he frequently noticed the evils arising from this system. In February 1871, he, therefore, directed the Board of Revenue to think of some remedy.¹⁰⁸

The Board of Revenue made a thorough analysis of the problem and concluded: “The subject was one of great difficulty. The extent to which sub-infeudation has been carried in some parts of the country, the minute sub-division of shares that exists in other parts, the claims of individual shareholders on the *ryots* for personal service and presents, and most of all the too common feuds and jealousies of co-partners, while they are the main causes of the abuses connected with the system under notice, present at the same time the greatest obstacles to the introduction of any scheme, having for its object to induce or compel joint proprietors to act in concert.”¹⁰⁹

The Government of Bengal did not proceed further to remove the evil. It caused a great deal of hardship to the *ryots*.¹¹⁰

Absentee landlords created another difficulty for the tenants of Orissa. They stayed outside their estates and the province. They usually resided at Calcutta and took no interest in the affairs of the land and tenants. They put the estates in charge of minor officials called *Zamindari amlas*, who in their

106. Vide Memorandum on the Revenue Administration of the Lower Provinces of Bengal, 1873, para 218.

107. *Ibid.*

108. Land Revenue Report, 1870-71, Resolution of the Government of Bengal, 15 February 1871.

109. Memorandum on the Revenue Administration of the Lower Provinces of Bengal, 1873, para 216.

110. *Utkal Dipika*, 11 December 1889.

turn exploited the tenants.¹¹¹ In 1885 the Collector of Balasore observed: "It is beyond doubt that the tenantry are beginning to lose that old feeling of half-filial respect for their landlords which used to characterise the Oriya peasantry so strongly. It is also beyond dispute that the chief reason of this is the fact that the landlords are ceasing to take any active part in the management of their estates, which they are handing over to strangers, who pay the landlord the full legal rents, and make what profit they can out of the ryots by means that can hardly be legal."¹¹²

Thus, in spite of the growth of the rights of the tenants, they could not be as happy as it was expected. The imposition of illegal cesses by the Zamindars, the exactions of the Zamindari *amlas*, fractional payment of rent to the joint proprietors were the principal causes of their sufferings and impoverishment. Sometimes strained feeling between landlords and tenants arose for these reasons. The Government did not sympathise with the tenants and did not take special measures to protect them though it was admitted that the *ryots* here were in general poorer and more ignorant than those of Bengal. It was said that the Government while benefiting the proprietors, still left the tenants "exposed to uncertainty and extortion."¹¹³ Towards the close of 19th century indications were not wanting that the spirit of agricultural independence which prevailed in many parts of Bengal proper, was beginning to spread to Orissa.¹¹⁴

Reorganisation of Kanungos and Patwaris

The *Kanungos* and *Patwaris* belonged to a very long-standing class of public servants. Their existence dated as far back as the Hindu period.¹¹⁵ On the British conquest of Orissa, there still remained traces of those classes. As originally constituted, the *Kanungo* was "an agent of the imperial Govern-

111. *Utkal Dipika*, 27 March 1875.

112. Vide Land Revenue Report, 1884-85, p. 8.

113. Maddox Report, Vol. II (Appendices), p. 436.

114. RAB, 1884-85, p. 258.

115. Land Revenue Report, 1878-79, p. 37.

ment, associated with the Zamindar for the purpose of checking and supervising, in communication with the Government, that officer's proceedings in regard to the collection of the public revenue." The *patwari* was the "Kanungoe's subordinate officer, and bore to the village *gomastah* the same relation as his master bore to the Zamindar."¹¹⁶

In Orissa a few *Patwaris* had been maintained since the first settlement of the province after its annexation and *Kanungos* had been entertained since the enactment of Regulation V of 1816.¹¹⁷ The Regulation XII of 1817 defined the position and duties of *Patwaris*. *Kanungos* were to collect cesses from the tenants and petty proprietors, maintain a record of proprietary rights, collect statistics, report on all local calamities, fluctuations of prices of foodgrains, and other matters connected with the local revenue administration, and make such enquiries as were ordered by the Collector of the district.¹¹⁸ The *Patwaris* were to keep zamindari accounts of every *mauzas*, make the tenants conscious of the payment of the rent and file the annual statements of demands, collection, and arrear of rent in the office of the *Kanungos*, for subsequent transmission to the Collector's office.¹¹⁹

The *Patwaris* had been filing last-mentioned papers and with the help of these papers, and at the request of the Zemindars, they warned the *ryots* to pay the arrear of rent. This was a great advantage to the landlords but the misuse of the procedure caused a great dissatisfaction among the *ryots*. With the promulgation of the Act X of 1859, the practice was discontinued by the order of the Board of Revenue. As they were not entrusted with any other Government work, they had come to be Zamindar's servants. Many officers, therefore, proposed to abolish *Patwaris* and resume their jagirs.¹²⁰

116. Memorandum on the Revenue Administration of the Lower Provinces of Bengal, 1873, p. 130.

117. *Ibid.*

118. Maddox Report, Vol. I, p. 266.

119. Utkal Dipika, 4 January 1890.

120. *Ibid.*

The *Patwari* system was revived under Sir George Campbell in 1875.¹²¹ Accordingly the *Patwaris* were organised and registered and their services utilised. In the estates where the *Patwaris* already existed, care was taken that the funds or land provided for them were not misapplied. In the estates where they did not exist, the Zamindars were required under Regulation XII of 1817, themselves to perform the duties of *Patwaris*. If they did not prefer it, they were allowed to nominate *Patwaris* for their estates, and pay them according to the scale laid down in the rules.¹²² The rule 12 which defined their duties, runs thus: "Every attempt should be made to secure the consent of the ryots and the persons to whom their rent is paid, to an arrangement whereby the *Patwari* may be present at the annual or biennial auditing of the accounts, or at least to the attestation by him of receipts given on payment of rent. And it shall be the duty of the *Patwari*, before attesting any receipt, to see that it is full, clear, and correct, and to note the amount of the payment in his accounts."¹²³ In brief the system in force "consisted purely and simply in exacting from the Zamindars annual account of their rent collections."¹²⁴

The new rules for the reorganisation of the *Patwaris* were gradually introduced. The Zamindars of Balasore exhibited a strong but passive resistance to the enforcement of these rules. They thought that the informations required would afford too clear an insight into their accounts and the state of their collections.¹²⁵ In April 1878, the Collector of Balasore reported that after combined resistance of the most stubborn and protracted character, the Zamindars executed agreements binding themselves to render the necessary annual accounts.¹²⁶

121. RAB, 1882-83, p. 67.

122. Land Revenue Report, 1874-75, p. 28.

123. *Ibid*, 1881-82, p. 43.

124. *Ibid*, 1877-78, p. 42.

125. *Ibid*, 1875-76, p. 32.

126. *Ibid*, 1877-78, p. 42.

A very unfavourable opinion was expressed of the *Patwari* system from the very beginning. They habitually neglected to furnish the accounts required of them. The Zamindars did not arrange for their presence when the ryots paid their rents.¹²⁷ The Collector of Balasore said : “Though I was in favour of the introduction of the experiment of demanding these accounts, yet experience has convinced me that it is now time to abandon it as unsuccessful. If the accounts are to be of any use, regularity and punctuality in their submission must be insisted upon; but I fear that regularity and punctuality are unattainable.”¹²⁸

From 1878 regular submission was enforced by infliction of severe penalties. Yet they did not think of settling to work till actually fines were imposed. Their accounts were also said to be untrustworthy.¹²⁹ The District Magistrates were unanimous in declaring that no successful results came from the attempt to revive an institution which had long ceased to have much vitality.¹³⁰ The Commissioner of Orissa observed :

“From the above (i.e., the reports of the Collectors) it is clear that the *Patwaris* as *Patwaris* are practically useless. Generally the remuneration they get is not sufficient to enable them to devote their whole time and attention to the duties of village accountant. They must do something else to supplement their incomes. This many of them do by taking service with the Zemindars. Even those who do not actually become the Zemindars’ paid servants are completely under their influence. This being so, it is useless to require the *Patwaris* to keep and submit village accounts, for, if submitted they will not be reliable. On the other hand, an independent *Patwari* is almost certain to find himself thwarted at every step by the Zemindar. It seems, therefore, useless to require the *Patwaris* to keep and submit rent accounts”¹³¹

127. Land Revenue Report, 1881-82, p. 43.

128. *Ibid*, 1877-78, p. 42.

129. *Ibid*, 1878-79, p. 40.

130. RAB, 1892-93, p. 77.

131. Vide Land Revenue Report, 1881-82, pp. 43-44,

In these circumstances the attempt was discontinued. Those who held *jagirs* were allowed to hold on until the next settlement. In the meantime their services were utilised for census and other purposes.¹³² They were also asked to work under the *Kanungos* as their assistants. The *Kanungos* had multifarious duties to perform, and the employment of *Patwaris* to help them in the discharge of duties became fruitful.¹³³

In 1872 rules for the guidance of the *Kanungos* were framed and sanctioned by the Government. The *Kanungos* formed the only agency in the interior of the district for making enquiries and furnishing various informations to the Collector in revenue matters.¹³⁴ Subsequently, an addition to their work was made by requiring from them the collection of all the road cess and public works cess due from the rent-free estates.¹³⁵ They were described as serviceable and efficient.¹³⁶ They proved to be a useful class of public servants for the purposes of revenue administration.¹³⁷

The *Patwari* Bill which was introduced in Bengal Legislative Council in 1885, was abandoned in 1892. The object of the Bill was to impose a cess from the proceeds of which the cost of the *Patwaris* and supervising *Kanungos* could be met. The Secretary of State did not sanction it. He regarded its success as doubtful.¹³⁸

An attempt was made to utilise the services of *Kanungos* and *Patwaris* in the Orissa survey work. In view of the employment of *Kanungos* on the survey in progress, it became necessary to transfer a portion of their legitimate duties to other establishments.¹³⁹ The *Kanungos* and *Patwaris* under-

132. RAO, 1879-80, Resolution of the Government of Bengal 24 August 1880.

133. *Ibid*, 1883-84, p. 25.

134. *Ibid*.

135. Land Revenue Report, 1878-79, p. 41.

136. *Ibid*, 1880-81, p. 43.

137. *Ibid*, 1881-82, p. 43.

138. RAB, 1892-93, p. 77.

139. Land Revenue Report, 1890-91, p. 37.

went training in survey schools located at Cuttack, Puri and Balasore.

But the work of the *Kanungos* was not found satisfactory.¹⁴⁰ In October 1892, E. H. Walsh, the Settlement Officer, wrote: "On the whole, however, I am strongly of opinion that their agency has not been nearly so effective as an agency of specially appointed *muharrirs* appointed by the Settlement Department, and I would strongly recommend that their services be returned to the regular line."¹⁴¹ In November 1893, the Board of Revenue ordered that the *Kanungos* should revert to general duty. But they were required to lend such assistance as might be required of them in the settlement work in their own *chaklas*.¹⁴²

The employment of *Patwaris* proved to be even less successful than that of the *Kanungos*. E. H. Walsh wrote: "On account of the difficulty of obtaining control over them or enforcing orders to procure their attendance, the *Patwaris* have been of comparatively little assistance in either Puri or Cuttack."¹⁴³ In Balasore only six were employed in survey. They were also reported to do very badly.

The attempt to use the *Patwaris* was thus an utter failure and was quietly dropped. They had too long enjoyed a practical independence to willingly accept the hard work and rigid routine of an *amin's* life.¹⁴⁴

In the settlement of 1897, the *jagirs* of *Patwaris* were resumed and assessed at full rates.¹⁴⁵ They were treated as *thani ryots* and ceased to be liable to render any service to the state, villager or Zamindar. The number of *Patwaris* and the area and the rent of the resumed *jagirs* in the three districts were as follows:

140. Maddox Report, Vol. I. pp. 266-267.

141. *Ibid.*

142. *Ibid.*, pp. 267-268.

143. Vide Maddox Report, Vol. I, p. 268.

144. *Ibid.*

145. Land Revenue Report, 1899-1900, para 206.

District	Number of Patwaris	Areas of resumed jagirs acres	Rent of resumed jagirs
Cuttack	100	2,100	5000
Balasore	56	1,400	100
Puri	89	450	760
Total	245	3,950	5,860

As *Kanungos* rendered useful works in their original posts, they were not abolished. They continued to be employed on local enquiries of civil nature, and in assisting in the collection of Government dues and in other miscellaneous revenue works.¹⁴⁶

The proposal for utilising *Kanungos* and *Patwaris* for maintaining land records was not approved by the Government of India. The sanctioned scheme provided that the maintenance of land records should be carried out by means of trained establishment under proper supervision.¹⁴⁷

Extension of Permanent Settlement to Orissa

At the commencement of the British rule as well as at the expiry of each settlement, it was promised to introduce a Permanent Settlement. The promise had never been redeemed. At the end of every successive subsequent settlement, Government saw good reason to conclude that all the conditions under which pledge was given, had not been fulfilled.

In a proclamation issued in September 1804, it was declared that at the end of 1815 a Permanent Settlement would be made, of "such lands as may be in a sufficiently improved state of cultivation to warrant the measure, on such terms as Government shall deem fair and equitable." This declaration was confirmed by Clause 6, Section 7 of Regulation IX of 1805,

146. Maddox Report, Vol. I, p. 230.

147. Land Revenue Report, 1906-1907, p. 42.

148. *Ibid*, 1870-71, para, 62.

Section 4 of Regulation XII of 1805, Section 3 of Regulation X of 1812, and Section 6 of Regulation III of 1815. The declaration contained in the preamble of regulation VI of 1816 amounted to an indefinite postponement of the fulfilment of the pledge given in 1804. The promise was then put off on the ground that the information then acquired by the Government respecting the limits and produce of the estates was "too imperfect either with reference to rights and interest of Government or of the proprietors themselves to afford ground for proper adjustment of assessment which is to remain fixed in perpetuity."¹⁴⁹

Since the acquisition of the province by the British, several short-term settlements were made without any survey and detailed inquiry. In 1837 it was assumed that no part of the province was at that time ripe for a Permanent Settlement, and a temporary settlement was concluded for a term of thirty years. This settlement was preceded by a survey and accompanied by a detailed enquiry into the validity of all privileged tenancies.¹⁵⁰

Shortly before the expiry of that settlement, the question of giving Orissa a Permanent Settlement was raised. In a letter dated 23 April 1866, the British Indian Association upheld the claims of the Zamindars to such a settlement, based chiefly on the Despatch of the Secretary of State, dated 9 July, 1862.¹⁵⁰ The Despatch said: "Her Majesty's Government entertains no doubt of the political advantages which would attend a Permanent Settlement. The security and it may almost be said, the absolute creation of property in the soil, which will flow from limitation in perpetuity of the demands of the estate on the owners of the land, cannot fail to stimulate or confirm their sentiments of attachment and loyalty to the Government by whom so great a boon has been conceded and on whose existence its permanence will depend." The Despatch continued: "It must also be remembered that all revisions of assessment, although occurring at intervals of thirty years, nevertheless

149. RAB, 1892-93, p. 98.

150. Maddox Report, Vol. II (Appendices), No. 11, Government of Bengal to Government of India, No. 238 T.R., 12 May 1897,

demand for a considerable time previous to their expiration, much of the attention of the most experienced civil officers, whose services can be ill-spared from their regular administrative duties. Under the best arrangements, the operation cannot fail to be harassing, vexatious, and perhaps even oppressive to the people affected by it.¹⁵¹ Sir Charles Wood thus discussed the advantages of the Permanent Settlement and came to the conclusion that Permanent Settlement should be conceded in districts or parts of districts "(1) in which no considerable increase is to be expected in the revenue, and (2) where its equitable apportionment has already been or may hereafter be ascertained."¹⁵²

Sir Cecil Beadon, in his minute dated 6 November, 1866, discussed the question of Permanent Settlement. He referred to the Despatch of the Secretary of State of 24 March, 1865, in which Sir Charles Wood declined to sanction any settlement in perpetuity which was based, not on the existing assets of the estates in which it was to be applied, but on a prospective estimate of their future capabilities. Therefore, he directed that no estate should be permanently settled in which the actual cultivation amounted to less than 80 per cent of the cultivable area. Apart from the temporary effects of the drought and flood with which Orissa had then been recently visited, Sir Cecil Beadon considered a Permanent Settlement at the time inexpedient. He pointed out that "in all the districts of Orissa agriculture was backward, population scanty, and rent not fully developed, and that there was a prospect of a material advance in rents in the near future." He came to the conclusion that the settlement of the province generally should be made on the basis of the former enquiry, for another period of thirty years. But any Zamindars who might be in a position to show that their estates were ready for a Permanent Settlement, should be allowed to avail themselves of the repeated promises of Government. In another letter, he added that

151. *Calcutta Gazette*, 16 August 1862, p. 2889.

152. Maddox Report, Vol. II (Appendices), No. 11, Government of Bengal to Government of India, No. 238 T.R. 12 May 1897.

such a provision would tend to facilitate and pave the way for a general permanent settlement hereafter.¹⁵³

Some believed that the postponement of the Permanent Settlement was one of the causes of the famine of 1866. The policy of making a number of short term settlements, each of which was intended to be preparatory to a permanent one, and of constantly indulging the proprietors with hopes that were never to be gratified, was most ruinous in its effects. All were interested in concealing their cultivation and throwing lands out of cultivation in order to get better terms at the Permanent Settlement. None were desirous of improving the condition of their lands and tenantry, when there was no security or Permanence in their profits, and while they were, every few years, subjected to an increase in the demand.¹⁵⁴ It was, therefore, held:

"Having due regard to the present situation of this province, we think the Government should lose no time in announcing its intention to introduce into it the Permanent Settlement. Such a course will prevent general neglect of cultivation, and save the province from the repetition of those horrors, which the people are now witnessing. We are informed that in several estates lands have been thrown out of cultivation in the hope of obtaining favourable assessment, and sound policy and wisdom require that state should come forward and remove all possible motives for neglecting cultivation, and by diffusing contentment among the Zamindars and *ryots*, bind them both in an indissoluble bond of sympathy. The province is passing through an unexampled crisis, let not its effects be any longer intensified by periodical settlements which have already written a cruel commentary. We are convinced that a perpetual settlement of the public demand on the land will prove a potent means of strength and growth to the famine-stricken population of Orissa. By removing great and unequal pressure of public burdens, by preventing period-

153. Maddox Report, Vol. II (Appendices), No. 11, Government of Bengal to Government of India, No. 238 T.R. 12 May 1897.

154. *Ibid*, p. 432.

ical interference of the fiscal authorities, by guaranteeing the enjoyment of profits from the investments of capital, it will secure to land an increased marketable value, which may be largely made use of in mitigating the effects of future pressures.”¹⁵⁵

In his Despatch of 23 March, 1867, Sir Stafford Northcote laid down two Rules to restrict Permanent Settlement in undeveloped tracts and estates:

- (1) No estate should be permanently settled in which the actual cultivation amounted to less than 80 per cent of the cultivable area. The rule laid down in Charles Wood's Despatch of 24 March, 1865, was reiterated.
- (2) No Permanent Settlement should be concluded for any estate to which canal irrigation was likely to be extended within the next twenty years, and the existing assets of which would thereby be increased in the proportion of 20 per cent.¹⁵⁶

With regard to Sir Cecil Beadon's views as to the Permanent Settlement of individual estates in Orissa which have been referred to above, the Government of India observed: “The recent instructions received from the Secretary of State, in respect to the Permanent Settlement of estates likely to be affected by canal irrigation, render it, in the opinion of the Governor-General in Council, inexpedient, with reference to the present condition and prospects of irrigation in Orissa, to extend a Permanent Settlement to any individual Zamindars. It is probable that under these instructions but very few estates indeed in Orissa would be found entitled to a Permanent Settlement, and to grant such arrangements in isolated cases might induce inequalities and difficulties at the close of the new Settlement which would seriously embarrass the action of Government in dealing with other estates.” In his Despatch of 23

155. Calcutta Review, Vol. XLIV, 1867, “Orissa Past and Present.”

156. Maddox Report, Vol. II (Appendices), No. 11, Government of Bengal to Government of India, No. 238 T.R., 12 May 1897.

August 1867, Sir Stafford Northcote expressed his concurrence in these views. The question of the Permanent Settlement for Orissa rested here till it was reopened in 1892.¹⁵⁷

In 1868, 150 permanently settled estates lying in eight *parganas* in the Midnapur District were transferred to Balasore district on revision of the boundary. This area which formed the part of Northern Balasore, was governed by Permanent Settlement Regulation of 1793.¹⁵⁸ Thus the following permanently settled areas were added to those already existing:¹⁵⁹

<i>Area included in the Permanent Settlement of Bengal</i>	<i>Area in Square miles</i>
Part of Bhograi	1.02
Fatehabad	60.32
Bholerachour	28.94
Nampochour	60.07
Chak Ismailpur	3.67
Birkul	2.16
Kakhrachour	11.08
Mirgoda	0.57

The fact that the period of the Settlement of 1837 was nearing completion made the landlords of Orissa alert. In a meeting of the landlords held under the Presidentship of Babu Madhusudan Das in December 1891, it was declared that the time was ripe for the extension of Permanent Settlement to Orissa.¹⁶⁰ The Orissa landholders asked the Government to redeem its pledges in a petition. They wrote: "Now that another 30 years have elapsed, making the whole interval 77 years since 1222, when Permanent Settlement was to have been made under the Proclamation, it can hardly be supposed that the lands are not still, to quote again the words of the Proclamation, in a "sufficiently improved state of cultivation to war-

157. Maddox Report, Vol. II (Appendices), No. 11, Government of Bengal to Government of India, No. 238 T.R., 12 May 1897.

158. *Ibid.* p. 443.

159. J. F. W. James, Final Report on the Revision Settlement of Orissa, 1906-1912, p. 2.

160. *Utkal Dipika*, 2 January 1892, pp. 4-5.

rant the measure.'’ On the contrary, the petitioners were in a position to assure the Government that there was scarcely room for further development.

They added: “That Your Honour’s petitioners are aware that the Permanent Settlement made in Bengal in 1793 has laterly been considered a great blunder which the Government would not repeat elsewhere. But they humbly submit that the conditions are totally different. There in Bengal the revenue was fixed without a detailed measurement and the assessment of the lands being made. The result was, as might have been expected, that the revenue was far less than what it should have been considering the assets,—indeed quite out of proportion to them. Then, again, the settlement was made before sufficient time had elapsed to permit of the resources of the country being developed to any extent under the improved administration of British Government. Seeing, therefore, how vastly the assets have since increased under the influence of British rule, which has secured much greater protection to life and property than the country had enjoyed before under the Mahamadan Government, and has otherwise contributed largely to the development of the undeveloped resources of the former times, one might looking at the result from a financial point of view, well regret that a measure fraught with great loss to the public exchequer, should have been adopted, though it may not be quite safe to doubt, upon other grounds the wisdom of the policy which led to it. Whereas in Orissa, every plot of land shall have, by the time of the resettlement, been separately measured and assessed for the second time, after the country shall have enjoyed the benefits of the British rule for about a century,—a length of time which can hardly be supposed to be not enough to develop fully, which is another factor in the increase of assets, though it is outside the proclamation, has already reached a point beyond which it can scarcely be expected to rise, except in years of scarcity and famine.” “That a Permanent Settlement” continued the same petitioners, “is better calculated than a temporary one to promote the material prosperity of the people at large, the petitioners need hardly show. The happy condition of the people of Bengal,

as compared with their brethren of Orissa and other temporarily settled parts of the country is proof sufficient, if at all theory which might be laid down as an axiomatic truth needed any proof.”¹⁶¹

G. Toynbee, the Commissioner of Orissa, was strongly opposed to making the settlement of Orissa permanent. With regard to the petition he observed, “If the claim to a permanent settlement is solely based on the extensions of cultivation to the utmost possible limit independently of the exertions of the Zamindars, there would be little left to say against it, but other considerations tell on the other hand, viz., the improvement of Government communications, the large sums spent on embankments and on irrigation and navigation canals, the spread of education and commerce, and so on, all of which the Orissa Zamindars have hitherto reaped the benefit without any exertions or expenditure on their own part.”¹⁶² The Board of Revenue said: “If there was nothing else, the prospect of railway extension and general improvements of communications, which most obviously have a material effect on prices and money-rents, would of itself be a sufficient reason for not at present entertaining any petition to make the land revenue permanent.”¹⁶³ Sir Charles Elliott, the Lieutenant-Governor, agreed with their views.¹⁶⁴ During his visit to Orissa in February 1892, he informed the petitioners that there was not the slightest chance of a Permanent Settlement being made.¹⁶⁵

In their memorial dated 26 February, 1897, the Zamindars of Orissa again asked for a Permanent Settlement. They declared that “all the conditions preceding to the fulfilment of

161. BRP (Land Revenue), April 1893, No. 1, Zamindars of Orissa to Sir Charles Elliott, No. 9, 16 February 1892.

162. *Ibid*, No. 2, Commissioner of Orissa to Director of Land Records and Agriculture, Bengal, No. 1070S, 21 March 1892.

163. *Ibid*, No. 3, Board of Revenue to Government of Bengal, No. 543A, 9 June 1892.

164. *Ibid*, Director of Land Records and Agriculture, Bengal to Board of Revenue, No. 558 TA, 8 April 1892.

165. *Utkal Dipika*, 27 February, 1892, p. 76.

the promise of a Permanent Settlement have now been satisfied", that "the fullest possible information has now been gathered regarding the points noted in the law of 1816 and in other Legislative Acts as necessary to enable a Permanent Settlement to be fairly made", and that "the state of cultivation which the lands in Orissa has already reached is incapable of further development as is evidenced by the result of experiment made by several authorities on several occasions, as well as by the fact that the producing power of the lands has shown no improvement during the long period of sixty years since the last settlement."¹⁶⁶ As to the desirability of permanent settlement of Orissa, the memorialists laid before Sir Alexander Mackenzie, the Lieutenant-Governor, the following views of H. G. Reynolds, late Member of the Board of Revenue. H. G. Reynolds read a paper before the Society of Arts, London and therein recommended a Permanent Settlement for Orissa. In spite of the immense sums lavished by Government on the protection of the country from drought and floods and in the improvement of communication, he said that the prosperity of the province had been effected very little. The people of the three districts of Orissa were ignorant and poor and the condition of the peasantry was extremely wretched. He added: "what is the remedy for this deplorable state of things? I hesitate to say that the remedy is to be found in a Permanent Settlement of the land, but I think that a comparison of the condition of Orissa with that of Bengal may well lead our rulers to consider whether the experiment of a Permanent Settlement is not worth trying..... My opinion, therefore, would be in favour of the concession of a Permanent Settlement to the Zamindars of Orissa."¹⁶⁷

But by the time the Government had totally rejected the entire theory of Permanent Settlement. It had become the settled policy of the Government not to extend permanently settled area. So their petition received neither sympathy nor

166. B.R.P. (Land Revenue), May 1897, Memorial of Landlords' Association to Sir Alexander Mackenzie, 26 February 1897.

167. *Ibid.*

consideration.¹⁶⁸ The question of the extension of Permanent Settlement to Orissa was closed for ever. *The London Times* rightly commented: "Amid a long series of promises, pledges and fluctuations of policy spread over 93 years, there are doubtless conflicting statements and loopholes, through which the Government might find an escape. But no man who brings to the subject the eye of an impartial historian can doubt that the pledge was originally given as an inducement to the pacification of the province, and it has been renewed since then in various forms."¹⁶⁹ Really, there prevailed uninterrupted peace in the three districts of Orissa since the Paik Rebellion of 1817. There is justice in the remark of R. C. Dutta in his "Economic History of India": "Never has the loyalty of a nation been worse rewarded, never has the peacefulness of a people led more clearly to the withdrawal of a boon proposed in years of trouble and anxiety. It is a bad lesson for a Government to teach and for a people to learn."¹⁷⁰

168. Maddox Report, Vol. II (Appendices), p. 86, Government of Bengal to Government of India, No. 238 T.R., 12 May 1897.

169. *London Times*, 27 April 1897.

170. R. C. Dutt, *Economic History of India*, p. 290.

CHAPTER III

Salt Revenue Administration

Salt Monopoly under the East India Company

A considerable quantity of salt was manufactured along the sea coast of Orissa before the British annexation of the province. Stirling said that the finest salt in the whole of India was produced in that "wild inhospitable tract."¹ Salt manufacture in Orissa was a private concern under the Coastal Chiefs and Zemindars.²

Immediately after its acquisition, the Company partially introduced their salt monopoly in Orissa. The regulation of May 1804 reserved to the Government the exclusive privilege of manufacturing salt as a source of public revenue. The private manufacture was forbidden, except under Government licence, but the sale of the commodity continued to be subject to the payment of a duty of twelve annas per maund. However, the regulation XXII of 1814 established a complete monopoly over the manufacture and sale of salt in Orissa.³

In most of the *aurungs* of Balasore, Cuttack and Puri districts, the *panga* or boiled salt was manufactured but in a few of them in the Puri district the *kurkutch* or solar evapo-

1. L.S.S.O. Malley, *Bengal District Gazetteer* (Balasore) p. 133.

2. Rundall's Report, 1883, p. 1.

3. H. R. Ghosal, *Economic Transition in the Bengal Presidency*, pp. 98-99.

rated salt was produced.⁴ The salt manufacture improved under the monopoly system, especially from 1853 to 1860. The average quantity manufactured during these years was 20 lakhs of maunds.⁵ The average sales amounted to 6½ lakhs of maunds and the revenue was Rs. 1,562,109.⁶ Out of the surplus salt about 12 lakhs of maunds were exported by sea in the native crafts to Sulkea Warehouses in Calcutta for sale. The revenue derived from export was about 30 lakhs of rupees at the rate of Rs. 2.8 annas duty per maund.⁷ Thus, the net revenue derived from the salt monopoly in Orissa both from local sales in the province and public sale at Sulkea was about 45 lakhs of rupees at the end of the Company's rule. It was much higher than the land revenue of the province and constituted the biggest single item in the total revenue of Orissa.

Disadvantages of the Salt Monopoly

Under the monopoly system, the Government showed a great deal of concern about the profit but was silent about the welfare of the salt makers in particular and the people in general. The salt makers or *malangis* who were hired by the Government to manufacture the article were remunerated at a very low rate. They maintained themselves with that minimum subsistence and even at times on a starvation point. They were forced to work for the Government because many of them had no other means of livelihood. The price paid to those poor people were 6 annas only per maund of salt whereas the Government duty from the same was as high as Rs. 2.8 annas and was raised to Rs. 3 in December 1859 and Rs. 3.4 annas in March 1860. The Board of Revenue observed: "In consequence of the rise of prices of food, there was reason to suppose that the Molunghees did not receive sufficient remuneration from the manufacture and

4. S. C. Aggarwal, *Salt Industry in India*, Chapter X, p. 157.

5. Rundall's Report, 1883, para 14.

6. BFP (Salt), November 1890, Commissioner of Salt, Madras to Board of Revenue, No. 107, 10 March 1890.

7. Rundall's Report, 1883, para 14.

they looked for their profits to the opportunities for smuggling which their position afforded them." The Government realised that the continuance of this state of affairs was undesirable. Therefore, the price paid to the *malangis* was raised from 6 annas to 8 annas in Balasore in 1860.⁸

The people in general were affected by the high price of salt. It was abundantly produced in the coastal region and was sold at a cheap rate before the British occupation of Orissa. The Government monopoly raised the price to procure this common article of their daily food. Of course, the people were accustomed to pay it without complaint. But it pressed hard upon labourers and other poor people. George Plowden, who enquired into the question of salt manufacture in Bengal Presidency in 1853 stated: "I am very strongly of opinion that the tax is positively too high even at its reduced rate. A tax of 500 per cent appears to me a very high tax to impose upon any one article of consumption, when the article in question was comparatively very dear in the territory to which the tax applies."⁹

In spite of the evil pointed out by Plowden, the duty was enhanced to Rs. 3 in 1859 and Rs. 3-4 annas in 1860 per maund. This fell heavily upon the consumers. The consumers were thus charged to meet the expense caused by the increase in the price paid to the *malangis*. Under the monopoly system, the profit motive was so strong that Government was not prepared to incur any additional expense for the benefit of the community.¹⁰

Thus, the salt monopoly subjected the people of Orissa to a great disadvantage. In 1854 Plowden recommended the gradual abandonment of salt monopoly and the introduction of the manufacture under the excise system.¹¹ At the same

8. RAB, 1860-61, p. 31.

9. George Plowden, Report on Salt in British India, Part III, pp. 175-184.

10. RAB, 1860-61, p. 32.

11. George Plowden, Report on Salt in British India, Part III, pp. 175-184.

time, several experienced British officials of the Bengal Civil Service opposed the discontinuance of the salt monopoly as this would deprive thousands of *malangis* of their means of livelihood.¹²

Abandonment of Salt Monopoly

During the year 1860-61, the salt trade underwent a marked change, as regards its source of supply. The salt produced in the country under the system of Government manufacture was displaced in the market by foreign salt, principally imported from Liverpool.¹³

Upto 1860 none but local salt was known in Orissa. The preference for local salt was not owing to the superior quality of the salt, for Liverpool and other imported salt were unquestionably purer and better in every respect. It was founded solely on a prejudice among the Hindus against all foreign salt. The Oriyas regarded the foreign salt as impure and unfit for use in the land of gods.¹⁴

This prejudice had been completely overcome by 1860. The Liverpool salt was sold freely throughout Orissa in places in which, before 1860, no salt of this kind was seen and its exposure for sale would hardly have been tolerated by the ignorant villagers.¹⁵

The real factor in bringing about the change was the cheapness of the Liverpool salt. From a variety of causes, such as closing of the trade in salt between England and the Southern States of America, very low freights arising from the American war, a great falling off in the shipments of railway materials and other dead freight, the Liverpool salt was imported on a low scale hitherto altogether unprecedented.¹⁶ The Liverpool salt was selling as low as Rs. 65 per 100 maunds while the fixed price of Government salt at all

12. S. C. Aggarwal, *Salt Industry in India*, Chapter X, p. 160.

13. RAB, 1860-61, p. 17.

14. *Ibid*, 1861-62, p. 17.

15. Salt Report, 1860-61, para 7.

16. RAB, 1861-62, p. 17.

the depots was Rs. 83 per 100 maunds. Consequently the indigenous salt of the country could not maintain its position.¹⁷

The supply of salt to the consumer during 1860 had been, however, more abundant and was available at lower prices than in any previous year.¹⁸ Ashley Eden, then Senior Member of the Board of Revenue, said:

"So long as salt is supplied in abundance to the consumer and the interest of the Government in the sales of salt is limited to the realisation of the duty imposed at an equal rate on all the salt sold, it is a matter of little or no importance, so far as Government is concerned, whether the salt consumed is imported salt or the produce of the Agencies; and as regards the interests of the country, it is obviously an advantage that the people should be supplied with this necessary of life at the lowest possible price."¹⁹

Ashley Eden further stated: "As regards the use of imported salt the Government must be prepared to see the Agency salt neglected by purchasers unless it can be made equally good and sold at a rate not exceeding the price at which foreign salt can be imported." He felt certain that it was a matter of practical impossibility that Government could ever be able to produce salt equal to English salt in quality and cheapness.

He communicated his views to the Government of Bengal and suggested: "Government may in a few years be relieved of the trouble and responsibility of providing a considerable section of the salt now manufactured at its agencies."²⁰

The suggestion of the Board of Revenue came in support of the old arguments of the Chamber of Commerce at Northwich. They apprehended: "If the Government manufacture

17. Salt Report, 1860-61, para 8.

18. RAB, 1861-62, p. 17.

19. Salt Report, 1860-61, para 8.

20. *Ibid.*

proceeds, the constantly growing avalanche of Government salt will descend some day upon the salt market in Calcutta, and lead to an utter prostration of prices for a long season, and ruin of those interests now engaged in the Import Trade from England." They pressed on the Government of India "the consummation of an inevitable sequence, namely, the abandonment of the Government manufacture in Bengal." They assured: "Under the system of ample bonding accommodation for the Import Trade, there will never be a lack of English salt at Calcutta so long as English ships are in existence to carry it..... The shipments of this year to Calcutta average about 16,000 tons per month, thus giving already more than two-thirds of the total consumption of Bengal."²¹

This information was laid before Sir Cecil Beadon, the Lieutenant-Governor of Bengal. He was convinced of the wisdom of abolishing salt monopoly. But he felt uncertain as to the continuance of large importation of foreign salt. He was, therefore, of opinion: "it would not be prudent immediately to abolish the entire Agency, though it might be proper at once to stop work in any number of particular Aurungs where, from the prevalence of smuggling, or from high prices, or from any other cause, it might be especially desirable to do so."²² It was suggested to the Board of Revenue that an outturn equal to the quantity of Government salt sold in 1861-62 should be produced.

Accordingly, the Board of Revenue issued instructions to discontinue manufacture in many of the *aurungs* in Bengal and Orissa. Due to the precautions taken by the Board of Revenue, the stock of Government salt increased to 82 lakhs of maunds. The private salt imported from England reached 32½ lakhs. Thus there was a total of 115½ lakhs of maunds, or "more than one and half years' consumption for the Lower Provinces."

21. BRP (Salt), August 1862, Memorial from the Salt Chamber of Commerce at Northwich, to Secretary of State for India, 20 May 1862.

22. BRP (Salt), April 1863, No. 27, Resolution of the Lieutenant-Governor of Bengal, 25 March 1863.

Sir Cecil Beadon felt assured that no troubles would arise in near future due to the discontinuance of the importation of foreign salt. In March 1863, he announced: "The time has arrived for the Government to retire from the manufacture of salt; the supply of salt may now be as safely left to the ordinary course of trade for which there is a regular and steady demand."²³ The Government of India agreed with the Government of Bengal on the subject of the entire cessation of the Government manufacture of salt.²⁴

The operations closed in Cuttack in April, in Balasore in February and in Puri in June, 1863. The salt agencies were subsequently closed.²⁵ The preventive duties hitherto performed by the Controller of salt *chowkeys* were made over to the "New Police."²⁶

The Government thus definitely abandoned a system which, from its first establishment by the East India Company, in the shape of monopoly, had lasted with various modifications for almost 60 years. The Parliamentary Committee of 1836 distinctly pointed out that the final object of the principle they laid down in determining the system under which the Government salt was to be priced, was the ultimate displacement of the Government manufacture by imported salt. That goal was fully attained after 27 years.²⁷

The salt trade was left to a private enterprise under a system of Excise.²⁸ A set of rules to regulate the manufacture of salt by private capitalists was circulated. The manufacture under Excise system was allowed to those people who

23. Ibid.

24. BRP (Salt), April 1863, No. 28, Government of Bengal to Government of India, No. 247, 25 March 1863.

25. Salt Report, 1861-62, para 6.

26. BRP (Salt), March 1864, No. 4, Inspector-General of Police to Government of Bengal, No. 1221, 5 December 1863.

27. C. E. Buckland, *Bengal under the Lieutenant-Governor*, Vol. I, p. 287.

28. *The Administration of Bengal under Sir Andrew Fraser*, p. 122.

agreed to pay the Government a fixed amount of duty for every maund manufactured.²⁹

The discontinuance of the Government manufacture exposed 26 thousands of *malangis* to disadvantages that deprived them of their means of livelihood.³⁰ They did not depend quite exclusively on their salt earnings. Like most people in India they were also more or less agricultural but their holdings had not been sufficient to support them. The wage of their labour was their main reliance. The effect was to increase the class of agricultural labourers in the parts of the country in which they resided. It was certain that any calamity would throw them out of employment and food.³¹ In 1865 when the cessation of rainfall led to the total failure of crops, the suffering of the salt produce class knew no bounds. The famine of 1866 began in Parikud and Malud, two great seats of Government salt manufacture.³²

The history of the salt manufacture under the excise system was the history of the decline and final extinction of the salt industry in Orissa. The imports of foreign salt increased rapidly. Imported salt of superior quality began to sell at a lower cost than the indigenous salt. The indigenous industry could not stand in competition. The competition of Liverpool and Madras salt ultimately proved fatal to the local industry. S. C. Aggarwal, the Salt Commissioner of the Government of India, remarked: "The abolition of salt Monopoly virtually meant the extinction of salt industry."³³

Discontinuance of the Allowances of the Zamindars

With the cessation of the Government manufacture cropped up the question of the settlement of the allowances of the Zamindars. Prior to the acquisition of the province by the

29. Salt Report, 1861-62, para 23.

30. Rundall's Report, 1883, para 6.

31. RCF, Vol. I, p. 14.

32. C. E. Buckland, *Bengal under the Lieutenant-Governors*, Vol. I, p. 334.

33. S. G. Aggarwalla, *Salt Industry in India*, Chapter X, p. 160.

East India Company, the salt manufacture was in the hands of the Zamindars whose estates bordered the coast. After the conquest when the salt monopoly was introduced, they were required to make over to Government their salt and fuel lands and abandon all rights to manufacture salt. In order to compensate the loss incurred by the Zamindars, the Government agreed to pay them an allowance known as *Moshaira*. This was fixed at 1 anna 4 pies per maund of salt manufactured henceforth. For the *panga* salt manufactured at the Chilika lake, the amount was 10-2/3 pies per maund. The *Moshaira* charges for 1853-54 amounted to 1,21,982 rupees 7 annas and 11 pies.

Besides *Moshaira*, a diet allowance called *Koraki*, comprising a certain quantity of salt, was granted in 1811 for the loss of the privilege of manufacturing salt on their own account. In 1835 the quantity was fixed at 15 seers per 100 maunds manufactured. With a view to obviating and simplifying the accounts, its abolition was proposed in 1853. But it was ruled that this could not be countenanced without liability to a breach of faith.³⁴

On the abolition of the Government manufacture, the Government decided that the allowances of the Zamindars naturally ceased as their lands were restored to them and they were allowed to manufacture salt there. The Zamindars were not satisfied with this decision. They claimed compensation from the Government for the loss of their allowances in a petition of 12 March, 1863.³⁵

On this subject the Board of Revenue expressed an opinion:

"The landholders of the province have, under the present circumstances, no sort of claim to any compensation for the allowances which have ceased with the manufacture of salt. Their lands have been restored to them. They are free to manufacture salt on the same conditions as the public gene-

34. Rundall's Report, 1883, paras. 1-2.

35. BRP (Salt), April 1863, Petition of Lokanath Kar and others, No. 248, 13 March 1863.

rally and there was nothing in the agreements made with them to prevent the Government, at any time that it pleased, withdrawing from their lands. It appears, therefore, to the Board that in restoring the Zemindars to the position which they occupied in regard to these lands before the Government interfered with the manufacture of salt, the state has done all that in equity be required of it, and that there is no foundation for any claim to compensation.³⁶

The Government of Bengal concurred in the opinion of the Board of Revenue in April 1864.³⁷ The salt lands were permanently given up to them and any further claim whatever upon Government was not recognised.³⁸

Continuance of Local Manufacture

At the time of the change over from monopoly to excise system, the salt Agents of Puri, Cuttack and Balasore reported that private individuals were unlikely to embark on excise manufacture. About the same time, in April 1863, the Government called upon the Board of Revenue to report as to the expediency of prohibiting the further extension of local manufacture under the excise system and of depending entirely on foreign importation of salt.³⁹ In reply the Board of Revenue wrote: "It is premature to entertain the question of expediency of prohibiting the home manufacture, that the land holders in the producing districts should be left, for a time at least, to avail themselves of the privileges now restored to them. If it is found that the lands are turned rather to the purposes of cultivation than to the production of salt, it may then be time to enforce such a prohibition."⁴⁰

R. N. Shore, the Commissioner of Orissa, protested against the proposal of the Government of Bengal in the fol-

36. Vide Rundall's Report, 1883, para. 31.

37. Government of Bengal to Board of Revenue, No. 1497, 14 April 1864.

38. Rundall's Report, 1883, para. 31.

39. *Ibid*, para, 33.

40. Vide S. C. Aggarwal, *Salt Industry in Idia*, p. 161.

lowing terms:

"The prospects of the local manufacture depending as they do, on circumstances (such as the American Civil War) wholly beyond our control or foreknowledge, scarcely admit of a lengthened discussion. As a matter not only of general policy but of common justice to the people of the province, I would give them every reasonable facility for undertaking the manufacture, and I have not a doubt myself that eventually, not only Pooree only, but in Cuttack and Balasore, advantage will be taken of the permission. If the manufacture were prohibited, as suggested in paragraph 11 of the Government order No. 1581 of the 17 April 1863, the question of compensation to the salt Zamindars would at once revive, and in a most impractical shape. But this would not be the worst of it. In the *Kurkutch* tracts it would be simply impossible to put a stop to illicit manufacture, were not licit manufacture allowed to exist; we should be fighting against nature, and the cruelty, the demoralization that would result, I shrink from contemplating."⁴¹

The reasons put forward by the Commissioner convinced the Government of Bengal of the necessity of continuing the local manufacture. Had the Commissioner agreed with the proposal of the Government, the local manufacture would have been extinct in 1863.⁴²

The low taxed Ganjam Salt

There existed always considerable trade in salt between Orissa and Ganjam in the Madras Presidency. But up to 1862 the Ganjam salt offered for sale in Orissa did not come into appreciable competition with Orissa salt. In 1859 the duty on salt was raised from Rs. 2-8 annas to Rs. 3 and in 1860 to Rs. 3-4 annas. The effect of this measure was found in the diminution of the sales of Orissa salt.

The sales in Orissa showed a net decrease of 53,000 maunds in 1862-63. The principal falling off was in the Puri district.

41. Vide Rundall's Report, para. 32.

42. *Ibid.*

The Commissioner and the Board of Revenue attributed this decrease in the sales to the competition of the cheap and hitherto lightly taxed Ganjam salt.⁴³ The duty on Ganjam salt was Rs. 1-5 annas per maund. The question of the difference of duty levied on salt in Orissa and Ganjam respectively, which affected prejudicially Orissa sales, and more especially those of Puri district, formed a subject of lengthy correspondence.⁴⁴

As the best means of protecting the salt revenue of Orissa, the Lieutenant-Governor recommended to the Government of India: "The duty on Ganjam salt should be raised to an equality with that of Orissa, and failing this, that the Madras Government be absolutely prohibited from granting passes for salt into the province of Orissa or the Tributary Mehals."⁴⁵

The Government of Madras strongly opposed this proposal saying:

"The Government deprecate most strongly any attempt to exclude Madras salt from the Bengal Provinces as both impolitic and unjust alike to the Madras producer and the Bengal consumer. If the former can manufacture a good article for 3d per maund, he is justly entitled to the advantages which economical production can command. If the Bengal consumer can and will purchase Madras salt at 3d, it is unjust to compel him to purchase Bengal salt at 9d or 200 per cent more. The state is further a loser by the latter policy, for in all probability much more would be consumed of the cheap than of the expensive salt. The just and rational course is clearly to admit Madras salt on even terms (as explained in paragraph 6), and if as is apprehended, it entirely displaces Bengal manufacture, the consumers, the producers of the cheaper article and the Government will gain by the change."⁴⁶

43. Salt Report, 1862-63, para. 7.

44. Rundall's Report, 1883, para 19.

45. BRP (Salt), December 1862, Government of Bengal to Government of India, No. 3428, 22 December 1862.

46. *Ibid*, April 1863, Government of Madras to Government of India, No. 263, 6 February 1863.

Against the opposition of the Government of Madras, the question was finally disposed of by the Government of India in September 1863. It was decided that the full Bengal duty of Rs. 3-4 annas was to be levied by the Collector of Ganjam on all Ganjam salt introduced for exportation into Bengal, and the difference between that duty and the lower Madras duty, Rs. 1-6 annas was to be credited to the Government of Bengal.⁴⁷

This measure proved useful in protecting the salt revenue of Bengal against the loss caused by the competition of the cheap Ganjam salt. Sums of Rs. 7,323 and Rs. 19,894 were received by the Collector of Cuttack from the Collector of Ganjam in 1864 and 1865 respectively in payment of the difference between Bengal and Madras duty on salt despatched from Ganjam to Orissa.⁴⁸

Prevention of illicit manufacture in Balasore and Cuttack

The quantity of duty paid salt taken out of Balasore for consumption in the Tributary Mahals considerably decreased by 1867. It was ascertained on enquiry that this decrease was due to two causes. Firstly, there prevailed organised illicit manufacture in the Balasore district, in some parts of which the saliferous tract was separated by only two or three miles of intervening country. Secondly, the low taxed Madras salt was introduced into the Tributary Mahals by circuitous routes, by which the payment of the additional duty from Bengal was evaded.⁴⁹

In August 1866, the Inspector-General of Police informed the Board of Revenue that illicit manufacture of salt was most persistently carried on in every village on the coast of the Balasore district within the range of the salt water tides and that an organised traffic of contraband salt was conducted by large gangs of armed men between the coast and the Garjat frontier. It was also inferred from the terms of a

47. Rundall's Report, 1883, para. 19.

48. Salt Report, 1865-66, para. 2.

49. RAB, 1867-68, p. 81.

petition received by the Board of Revenue from a licensed manufacturer of salt in Balasore district. The petitioner stated his inability to continue manufacture as long as illicit salt was permitted to be made. He requested the intervention of a stronger preventive force. That illicit salt was very largely smuggled into the *Garjat* was ascertained beyond doubt by the personal enquiries of the Member of the Board of Revenue.⁵⁰

The Board of Revenue considered the stoppage of illicit manufacture necessary for two reasons. Firstly, the consumption of illicit salt occasioned a loss to Government by displacing the duty paid salt. Secondly, the existence of smuggling acted as a check on the extension of private manufacture under the excise rules. The Board, therefore, laid before the Government of Bengal a scheme to strengthen the preventive force on the scene of manufacture. The Government of Bengal submitted it for the sanction of the Government of India.⁵¹

The permission of the Government of India was obtained in 1867 to increase the preventive force maintained in Balasore district at a cost of Rs. 31,852, experimentally for three years.⁵² A similar proposal for raising the preventive police establishment of Cuttack district at an additional cost of Rs. 16,552 was sanctioned by the Government of India in March 1868.⁵³

Illicit Traffic between Ganjam and Tributary Mahals

The prevalence of illicit manufacture on the Orissa coast did not alone account for the diminution in the sales of duty paid salt to Tributary Mahals. Another cause, already mentioned, was that large quantities of Madras salt, on which

50. BRP (Salt), July 1867, No. 39, Board of Revenue to Government of Bengal, No. 923, 4 April 1867.

51. *Ibid.*

52. RAB, 1867-68, p. 81.

53. BRP (Salt), April 1868, Government of India to Government of Bengal, No. 1372, 12 March 1868.

differential duty had not been paid, found their way into the Tributary Mahals from Ganjam. T. E. Ravenshaw, the Commissioner of Orissa, was of opinion that it was exceedingly difficult to stop so long as salt differential duty unpaid was allowed to pass through the Tributary Mahals to Sambalpur and the Central Provinces.⁵⁴ Ganjam salt was brought nominally for sale in the Central Provinces but was sold in Cuttack and in the Tributary Mahals on the road.⁵⁵

The police enquiry further brought to light in 1867 that the low taxed Ganjam salt was exclusively consumed throughout the Tributary Mahals.⁵⁶ T. E. Ravenshaw wrote: "The evil of under-taxed Ganjam salt being introduced into Cuttack and the Tributary Mahals is a very serious one as affecting Government revenue as well as the morals of the people."⁵⁷

The figures shown in the statement given below represent the quantities of salt, which, during three years, left Ganjam ostensibly for Sambalpur and Raipur, and the quantities actually arrived there.⁵⁸

	<i>Sambalpur</i>			<i>Raipur</i>		
	1868	1869	1870	1868	1869	1870
Quantity of salt leaving Ganjam	Mds.	Mds.	Mds.	Mds.	Mds.	Mds.
	94,834	69,832	78,214	2,13,419	1,94,228	2,36,692
Quantity of salt which arrived	80,047	52,360	52,182	44,632	80,047	40,832
Difference	14,787	17,472	26,032	1,68,787	1,14,181	1,95,860

54. Salt Report, 1865-66, para. 12.

55. BRP (Salt), January 1866, Superintendent of Tributary Mahals to Government of Bengal, No. 163, 7 December 1865.

56. Salt Report, 1866-67, para. 49.

57. BRP (Salt), December 1870, Commissioner of Orissa to Government of Bengal, No. 261 3/4, 9 July 1870.

58. *Ibid*, May 1872, Board of Revenue to Government of Bengal, No. 14½C, 10 January 1872.

The figures clearly show that enormous amount of Ganjam salt never reached their destination. It was assumed that this salt found its way into the Tributary Mahals and the district of Cuttack, displacing an equal amount of Bengal salt. On this supposition the loss of revenue was calculated to be about 7 lakhs of rupees.⁵⁹ The necessity of some arrangement was therefore keenly felt to put a stop to illicit traffic and to secure the revenue.

With the object of adopting preventive measures for the repression of illicit salt traffic between the Madras frontier and the Cuttack Tributary Mahals, two schemes were put forward. One was proposed by A. O. Hume, the Commissioner of Imperial Customs in the North-Western Provinces, and the other by T. E. Ravenshaw, the Commissioner of Orissa.⁶⁰

A. O. Hume suggested that the custom line which terminated at Samasingha should be brought down to the sea, keeping as much Orissa and *Garjat* territory as possible inside the line. He also suggested the establishment of a chain of out-posts at intervals of two miles on the line. The cost of the proposed line was roughly estimated at Rs. $1\frac{1}{4}$ lakhs.

The Commissioner of Orissa, on the other hand, proposed as follows: The full Bengal rate of duty should be levied on all salt passed out of Ganjam for consumption, or transit through the Tributary Mahals. All such salt exported from Ganjam into or through the Mahals should be carried out by a fixed route laid down by Government, being subject to confiscation if found on any other route. The introduction of Ganjam salt on which the full rate of Bengal duty had not been paid, into the Tributary Mahals, should be forbidden by Government. The Tahsildars in the states of Banki, Khandmals and Angul, and the Rajas in the Tributary Mahals should be entitled to seize and confiscate all such

59. *Ibid.*

60. BRP (Salt), December 1870, No. 64, Board of Revenue to Government of Bengal, No. 4634, 23 October 1868.

under-taxed salt. The few police posts in the Khandmals and along the southern frontier of Baud, Daspalla, Nayagarh and Tikarpara should be strengthened. The salt should be exported from Ganjam for the Tributary Mahals in a restricted amount, based on the estimate of actual requirements of and payable consumption in these tracts.⁶¹

The Governor-General in Council agreed with A. O. Hume.⁶² The Board of Revenue considered Hume's scheme expensive and inconvenient. The continuance of the line through the Tributary states would be a constant source of irritation to the semi-independent chiefs and to the wild and impulsive people in that area. The Lieutenant-Governor was also not in favour of the decision of the Government of India. He said: ".....Having regard to the great expense involved in the recommendation of the Commissioner of Inland Customs, and incompleteness of the arrangements so far as they concern the Tributary states which fall outside the line, he can not accord his approval to the measure."⁶³ Both Board of Revenue and Lieutenant-Governor insisted on the adoption of Ravenshaw's scheme as the simplest solution of all the difficulties and the expense involved in this very troublesome matter.

Before any scheme was put into operation, the promulgation of Act X of 1874 introduced a great change in the conditions of the salt supply and trade. It made the whole discussion over illicit traffic fruitless. The object of Act X of 1874 was to remove all restrictions on the way of salt trade and establish free salt trade. In April 1874, the Government of India directed the Government of Bengal to take necessary action in furtherance of the object of Act X of 1874. It was stated: "All interference with the import of salt from

61. BRP (Salt), December 1870, Board of Revenue to Government of Bengal, No. 4634, 23 October 1868.

62. *Ibid*, Government of India to Government of Bengal, No. 3011, 31 August 1869.

63. *Ibid*, Board of Revenue to Government of Bengal, No. 4634, 23 October 1868.

the Presidency of Fort St. George by land into the territories under the Lieutenant-Governor of Bengal will cease to be necessary" and "There is no obstacle to the trade in salt from the coast to any part of the Central Provinces." In the same letter it was further intimated that the Inland Customs line, which had hitherto prevented Madras and Orissa salt from entering the Central Provinces without payment of further duty, was abolished. It was found subsequently that these orders of the Government of India resulted in the importation of the Ganjam salt into Orissa on a large scale and caused ultimately ruin of the local industry.⁶⁴

Graduated Scale of Duty

The removal of the restrictions in salt trade between Orissa and Ganjam necessitated the adoption of urgent measures to prevent the salt manufactured in Orissa for consumption from being displaced by the cheap Madras salt. This led to the introduction of the graduated scale of duty in Orissa to connect the low Madras duty with the higher duty of Orissa. Moreover, the selling price of salt in Ganjam was raised from Rs. 2 to Rs. 2-4 annas.⁶⁵

For introducing the graduated scale of duty, Orissa was divided into six zones with different rate of duty for each. They were fixed by the Government of India in April 1874.⁶⁶

The effect of the graduated scale of duty on the local trade was very serious. It stimulated the imports of Ganjam salt into Orissa. The imports from Ganjam were 1,419 maunds in 1873-74, 11,638 maunds in 1874-75 and 1,14,338 maunds in 1875-76, showing an increase of 1,02,700 maunds over last year. Of this increase, 53,937 maunds was in Cuttack and 48,763 maunds in Puri.⁶⁷ There was no encroachment of Ganjam salt into Balasore. It was feared that the

64. BRP (Misc. Revenue), August 1874, Government of Bengal to Government of India, No. 1729, 13 August 1874.

65. Salt Report, 1874-75, para 11.

66. *Ibid.*

67. Salt Report, 1875-76, Resolution of the Lieutenant-Governor of Bengal, 30 October, 1876.

ultimate result of the influx of Ganjam salt would be total annihilation of the Puri and Cuttack trade.⁶⁸

Owing to the large importation of Ganjam salt, the manufacture in Cuttack had been almost extinguished.⁶⁹ When the manufacturers found that there was no demand of locally manufactured salt, they began to produce cereal crops on land formerly reserved for salt working. The manufacture was 12,298 maunds in 1874-75, 26,519 maunds in 1875-76 and 10,043 maunds in 1876-77.⁷⁰

The manufacture in Puri was languishing. The manufacturers had large stocks in hand which they could not sell.⁷¹ In spite of the precarious condition of the sale of their salt, the Puri contractors went on manufacturing because there was no other means of livelihood for the people. The Board of Revenue observed: "It is beyond a doubt that the increased manufacture does not indicate a genuine revival of the Pooree salt trade, but merely proves that neither manufacturers nor *molunghees* are unable to withdraw from their business without incurring a loss which involves their livelihood."⁷²

This system was considered detrimental to the finances of the Government of Bengal. While Cuttack with a population of a million and a half consumed 2,07,898 maunds, it only produced 10,043 maunds within its own area, and only yielded to Government a revenue of Rs. 77,752. In other words, out of every 100 maunds consumed, only five maunds were of local production, the rest was imported. So, only the 5 per cent paid duty in Orissa and the duty on the remaining 95 per cent went to swell the revenues of Madras at the expense of Orissa revenues. On the other hand, Balasore with a population of 7,70,000 or just half that of Cuttack, consumed 99,606 maunds but produced 1,31,739 maunds, considerably more than its own consumption, and paid Rs. 4,95,562

68. Salt Report, 1875-76, para 2.

69. RAO, 1876-77, para 25.

70. Salt Report, 1876-77, para 13.

71. RAO, 1876-77, para 25.

72. Salt Report, 1876-77, para. 14.

duty to Government. These figures showed to what extent the system effected the revenues of Orissa.⁷³

When the Act X of 1874 allowed the admission of Ganjam salt into Orissa, it was hoped that the reduced duty under graduated scale would protect the local manufacture of Orissa against the danger posed by the importations of Ganjam salt. But still the salt manufacturers of Orissa were at a disadvantage in competing with Ganjam manufacturers. The former were weighted by the charges for the preventive police and warehousing, from which the latter were free. The labour employed in making salt was cheaper in Madras than in Orissa.⁷⁴ For these reasons the salt manufactured in Orissa could not be sold cheaper than the Ganjam salt. Ganjam made salt was sold from the '*golas*' at 2 rupees 4 annas per maund, while Orissa manufactured salt at Puri was sold at about Rs. 2-12 annas per maund. The cheapness of the Ganjam salt worked against the Orissa manufacture.⁷⁵

Some special measures were taken for the revival of the Orissa salt manufacture which was a losing one. As a partial measure of relief to Puri manufacturers, the proposal to dispense with *rawana* fees was sanctioned by the Government of India. The discount of five per cent allowed in Ganjam to all purchasers of not less than 1,200 maunds was ordered to be discontinued. The Orissa manufacturers were relieved of the cost of the preventive establishment for guarding the *aurungs* during the season of manufacture.⁷⁶ The said measures were taken in 1876. In 1877 the duty on Ganjam salt was raised to Rs. 2-11 annas. The Government agreed to pay the cost of establishment in Orissa when the charge was not more than a fiftieth part of the duty to be obtained.⁷⁷ In July 1878, the rates of duty on salt manufactured in Orissa were

73. RAO, 1876-77, para 25.

74. Salt Report, 1874-75, para. 4.

75. RAO, 1874-75, para 85.

76. Salt Report, 1876-77, Resolution of the Lieutenant-Governor of Bengal, 13 November 1877.

77. Salt Report, 1877-78, p. 2.

revised and reduced to the scale of Rs. 2-8 annas for the whole of the district of Puri and Cuttack, Rs. 2-10 annas for the portion of the Balasore district lying between Cuttack and Kansbans river and Rs. 2-12 annas for the rest of the district.⁷⁸ The duty on salt was further reduced and an uniform rate of Rs. 2 was levied throughout Orissa from March 1882. With this measure, the graduated scale of duty ceased to operate.⁷⁹

The steps mentioned above afforded relief to Cuttack and Puri salt trade. The manufacture and sale began to increase in every district. In Puri the outturn was 4,01,436 maunds in 1878-79 against 47,839 in 1877-78. In Cuttack 27,653 maunds were produced against 10,996 maunds in 1877-78 and in Balasore 1,47,555 maunds against 94,127 maunds. The total sales in the three districts amounted to 4,96,185 maunds against 4,41,915 maunds in the previous year, showing a net increase of 54,271 maunds.⁸⁰ The rapid increase in manufacture and sales showed that the internal trade of Cuttack and Puri was steadily recovering while the importation of Ganjam salt was steadily diminishing.⁸¹

The salt trade of Puri and Cuttack was saved from total annihilation but continued in a decaying condition. In 1879 the sales for local consumption in Puri were 3,10,999 maunds and the imports from Ganjam amounted to 1,28,355 maunds.⁸² Thus, the importation could not be stopped permanently. It was said that Puri and Cuttack salt was able to find a market only when the stocks at Ganjam ran out.⁸³

Abolition of Rawana System

The *rawana* system dated from a time when there was an extensive manufacture of salt on behalf of the Government.

78. Salt Report, 1878-79, p. 1.

79. RAB, 1881-82, para. 63.

80. Salt Report, 1878-79, para. 4.

81. RAO, 1879-80, para. 41.

82. Salt Report, 1879-80.

83. RAO, Resolution of the Lieutenant-Governor of Bengal,
13 October 1884,

After the abandonment of salt Monopoly in 1864, the salt trade was left to private enterprise under a system of excise. The factories were scattered over a large area, and in order to guard against the three-fold danger of illicit manufacture, smuggling from the factories, and smuggling of imported salt from sailing ships, a large preventive force was maintained. The *rawana* system formed a second line of defence.

Under this system, the purchaser of a consignment of salt above five seers, after payment of duty, was obliged to obtain a permit or *rawana* to convey the salt to its destination by a specified route.. While the purchaser was within certain defined limits, coterminous with the salt-producing districts, he had to render his *rawana* for inspection at pass-stations. On the destination being finally reached, the preventive officer issued retail *rawanas* to cover the transport of any salt sold until the entire consignment was disposed of.* In 1874, as the conditions of the salt supply and trade changed, the question of the modification of these arrangements arose.

The Government of Bengal anticipated that the establishment of free trade in salt between Orissa and Madras would give Ganjam salt an advantage in Orissa. To prevent this, the Collector of Ganjam was informed that his salt would be admitted into Bengal regulation territory in Bengal form of *rawana* only, and after entering into Bengal territory, his salt would be subject to the Bengal law and regulation regarding transport and sale.**

A great deal of discussion ensued between Madras and Orissa authorities as to the precise effect of the Act X of 1874 as regards Ganjam salt in transit through Orissa. The former was of opinion that it was the intention of Government to relieve Ganjam salt of all interference in any way after the selling price had once been paid. The latter held that it could not be intended to give this special privilege

34. *The Administration of Bengal under Sir Andrew Fraser*, pp. 122-123.

85. B.R.P. (Misc. Revenue), August 1874, No. 6, Commissioner of Orissa to Board of Revenue, No. 63, 15 July 1874,

to Madras salt in Orissa while all the other salt was subjected to check and supervision as long as it was within the limits of Orissa.⁸⁶ The result was the submission for the approval of the Government of India a special set of rules for Madras salt brought into Orissa.⁸⁷

The Governor-General in Council did not sanction "the proposed rules which would operate to perpetuate the stringently restrictive system that had hitherto prevailed, the reform of which was one of the leading objects of the Bill recently passed."⁸⁸ The Government of India expressed that the time had come for relieving salt, not only in Orissa, but throughout Bengal, from all interference during transit, or, in other words, for the abolition of the *rawana*, or protective pass system. It was announced that "all interference with the internal transit of salt in Orissa should cease."⁸⁹

When the Government of India insisted on the abolition of the *rawana* system, the only remaining question was as to the proper way for exempting the area within which the stringent *rawana* rules were in force "without impairing the security of the salt revenue."⁹⁰ The Government of India held: "Even if the proposed relaxation were to result in a slight increase of petty smuggling, still the increased freedom to trade which would ensue from the removal of these vexatious restrictions, would soon make up the difference to Government in an increased revenue from salt sold, while it would be an unalloyed gain to the people."⁹¹

The Board of Revenue proposed that an experiment should be made by abolishing *rawana* in Puri alone for two

86. Salt Report, 1874-75, para 5.

87. BRP (Misc. Revenue), August 1874, Government of Bengal to Government of India, No. 1729, 13 August 1874.

88. *Ibid.*, October 1874, Government of India to Government of Bengal, No. 242, 28 August 1874.

89. *Ibid.*

90. *Ibid.*, June 1875, Government of India to Government of Bengal, No. 171, 29 May 1875.

91. *Ibid.*

years.⁹² They said: "The manufacture in the district of Puri, differs materially from that in Cuttack and Balasore, being chiefly of *kurkutch* salt. Its manufacture is carried on in the immediate neighbourhood of the warehouses and in an open country free from jungle. In this case preventive duties are more easily fulfilled than in the case of *panga* salt manufactured in the districts of Cuttack and Balasore."⁹³

The Government of India approved of this proposal but suggested that with regard to Cuttack and Balasore it might be better to make the Grand Trunk Road as the western limit of the salt jurisdiction.⁹⁴ The Government of Bengal and the Board of Revenue did not raise objections to this. The Grand Trunk Road was then adopted as the line from the coast within which the transport of salt must be covered by *rawanas* in Cuttack and Balasore districts. The *rawana* system ceased to operate in the whole of Puri district.⁹⁵

The orders restricting the *rawana* system were carried out from April 1877. Since then there was no interference with the transport, storage, and sale of salt in the district of Puri and in the excepted areas of Cuttack and Balasore. The *rawanas* were given up at the new boundary as they used to be at the old and the salt was released from all supervision after once crossing it.⁹⁶

It appeared that the contraction of the *rawana* system did not produce adverse effects. There had been an increase of sales after the contraction of *rawanas*. The following statement shows the sales in the three districts from the manufacturer's *golas*.⁹⁷

92. BRP (Misc. Revenue), January 1877, Government of India to Government of Bengal, No. 353, 22 December, 1876.

93. *Ibid*, August 1881, Board of Revenue to Government of Bengal, No. 411B, 25 May 1881.

94. *Ibid*, January 1877, Government of India to Government of Bengal, No. 353, 22 December 1876.

95. *Ibid*, April 1877, Government of Bengal to Board of Revenue, No. 1076, 23 April 1877.

96. BRP (Misc. Revenue), August 1881, Board of Revenue to Government of Bengal, No. 411B, 25 May 1881.

97. Salt Reports, 1875-76, 1876-77, 1878-79, 1879-80.

District					
	1875-76	1876-77	1877-78	1878-79	1879-80
	Mds.	Mds.	Mds.	Mds.	Mds.
Cuttack	14,190	28,219	18,882	18,446	42,306
Puri	1,68,068	1,33,304	1,70,669	2,72,785	3,10,999
Balasore	1,57,977	1,61,447	1,67,360	1,48,514	1,42,880

The figures show a rise of over 50 per cent between the quantity in 1876-77 and that in 1879-80. The advance in the sales was considered sufficient to show that the contraction of the *rawana* did not lead to any considerable illicit manufacture and smuggling from the *aurungs* and *golas*. It was said that although the increased sales from the *golas* did not conclusively prove an increased consumption per head, the contraction of the *rawana* system did not diminish the consumption of duty paid salt.

The opinion of the local officers was in favour of a further restriction of the *rawana* system.⁹⁸ In 1885 the system was abolished in the rest of Orissa.⁹⁹

Panga Manufacture in Balasore

Panga salt is the salt boiled out of salt earth scraped up in saliferous soil. It had been manufactured in Orissa, first under a monopoly and afterwards under an excise system, for a long time.¹⁰⁰

Meanwhile, the importation of the Liverpool salt was increasing. By 1884 it threatened the *Panga* manufacture of Balasore with extinction. In 1882-83 the quantity of imported salt sold in Balasore was 9,000 maunds. It rose to 20,000 maunds in 1883-84 and 36,500 maunds in 1884-85.¹⁰¹ The imports of Liverpool salt multiplied 8-fold in three years and

98. BRP (Misc. Revenue), August 1881. Board of Revenue to Government of Bengal, 411B, 25 May 1881.

99. *The Administration of Bengal under Sir Andrew Fraser*, p. 123.

100. BRP (Salt), November 1890, Government of Bengal to Government of Madras, No. 774, T-F, 23 October 1890.

101. RAO, 1884-85, p. 15.

amounted to 1,43,397 maunds in 1886-87.¹⁰² The Collector of Balasore remarked that the manufacture was a dying business, and foreign salt would soon drive it out of the market altogether.¹⁰³ It was apprehended that the licensed manufacture of *panga* would die a natural death in Orissa by a natural process when the development of the coast canal had augmented the supply of Liverpool salt.¹⁰⁴

The *panga* salt of Balasore was costly to make and a poor stuff. That it should fall before the cheap and excellent Liverpool salt was most probable.¹⁰⁵ The saline matter was distributed over such large areas that it enhanced the cost of production to an extent which disabled it from competing with other kinds of salt.¹⁰⁶

When the *panga* trade of Balasore was fast falling, it was discovered that there prevailed widespread illicit practices. With a falling sale there was still no diminution in the number of manufacturers, and 28 men were engaged to make 2,46,000 maunds in 1885. They had about 1½ lakhs of maunds in stock. They knew that this was more than all their sales of the previous year and that their sales for the current year would be less still. Nevertheless not one man abandoned this trade.¹⁰⁷ T.J.C. Grant, the Collector of Balasore, wrote: "The manufacture of Balasore *Pungah* is doomed, if not already dead, as a legitimate business. Knowing how costly is the production of this salt, and how much its legitimate sale had diminished, I cannot believe that it is worked at a legitimate profit even now. Knowing also that illicit manufacture and smuggling are exceedingly easy, and almost absolutely safe, I fear that there is

102. RAO, 1886-87, Resolution of the Lieutenant-Governor, 15 September 1887.

103. RAO, 1884-85, p. 15.

104. BFP (Salt), November 1890, Government of Bengal to Government of India, No. 774T-F, 23 October 1890.

105. RAO, 1884-85 p. 15.

106. BFP (Salt), November 1890, Government of Bengal to Government of India, No. 774T-F, 23 October 1890.

107. RAO, 1884-85, p. 16.

strong ground for believing that the trade is kept up only because it is made very profitable illegitimately.”¹⁰⁸

The Collector of Balasore complained of the system under which *panga* salt was manufactured in his district and recommended to stop the manufacture.¹⁰⁹

From the nature of the illicit practices, the Commissioner of Orissa came to the conclusion that the manufacture of *panga* salt could not be continued without serious loss to the salt revenue. He wrote: “Smuggling under cover of Government licence is far more serious than the illicit manufacture of it in small quantities by the poor people for their own consumption. It is also my belief that permission to make *pangah* when the trade is fast falling off as in this district will enable the revenue to be defrauded on a large scale as it has the effect of urging the defrauders of the revenue to exert themselves to make the most of their time.”¹¹⁰ It was, in his opinion, necessary in the interest of the salt revenue that manufacture of *panga* salt should be stopped immediately in Balasore.¹¹¹

The Government of Bengal declined to take any action in this connection as the salt department of Orissa was shortly to be placed under the immediate charge of the Commissioner of salt revenue, Madras, for its complete reorganisation.¹¹²

Transfer of the Orissa Salt Department to Madras

When the salt manufacture of Orissa was a decaying business, the Government of Bengal employed Fowler, the Assistant Commissioner of the Madras Salt Agency, to examine and report on the existing system of salt revenue administration in Orissa. His report exposed the weakness of the Bengal salt revenue administration in Orissa. It was stated: “There is no proper supervision over the manufacturers, that smuggling is rife, and can be carried on with impunity and with little fear

108. *Vide RAB*, 1884-85, p. 269.

109. *RAB*, 1884-85, p. 16.

110. *Salt Report*, 1885-86, para. 19.

111. *Ibid.*

112. *RAB*, 1884-85, p. 269.

of detection, and that a large quantity of salt revenue passed into consumption without paying duty."¹¹³

With the object of exercising better supervision and preventing illicit practices, it was decided in 1885 to place the manufacture and sale of excise salt in the three districts of Orissa under the supervision of the Commissioner, Madras Presidency, subject to the control of the Government of Bengal.¹¹⁴ This decision was taken on following grounds. With his manifold duties, it was not practicable for a Collector of a district of Orissa to devote necessary attention to the control of the salt revenue. Further, it would be greatly to the interest of the Government to transfer the work to an officer specially acquainted with the subject and with no other work to occupy his time.¹¹⁵

Early in 1866, Madras salt officers were placed in charge of the salt works but practically worked under the directions of the Collectors on the old lines. The division was fully placed in charge of the Madras salt department in October 1888.¹¹⁶

Abolition of Panga Manufacture

The *panga* manufacture attracted the attention of the new authority. As the custodian of the salt revenue in Orissa, they declined to afford facilities for a business which was in fact carried on with a view to smuggling.¹¹⁷ *Panga* manufacture, as they pointed out, was difficult of supervision and dangerous to the revenue.¹¹⁸ In 1889, the making of *panga* salt in Orissa was abolished.¹¹⁹

113. RAO, 1884-85, p. 15.

114. Salt Report, 1885-86, p. 18.

115. BRP (Misc. Revenue), May 1883, Government of India to Government of Madras, No. 613, 30 April 1883.

116. BFP (Salt), November 1890, Commissioner of Salt, Madras to Board of Revenue, No. 107, 10 March 1890.

117. Salt Report, Madras Presidency and Orissa, 1888-89, p. 48.

118. BFP (Salt), June 1887, Government of India to Government of Bengal, No. 1416, 16 June 1885.

119. Salt Report, Madras Presidency and Orissa, 1888-80, para. 155.

Thus was killed a industry which supplied means of subsistence to thousands of indignant people in Balasore and Cuttack districts. A. C. Tute, the Collector of Cuttack felt that the difficulty of controlling *panga* manufacture was not a sufficient reason to prohibit it. He said: "It is the bounden duty of any Government that wishes to excise an article to take proper measures to control its illicit manufacture, and not to forbid its manufacture altogether."¹²⁰ On another occasion, A. C. Tute said: "Orissa at present is the only part of the British empire where men are prohibited from using one of the fruits of the earth, and that, too, a necessary of life, cast up by providence at their doors, because a local Government confesses its inability to excise it..... The duty presses lightly on the people and never was severely felt, but I do not understand that one of the products of nature should be deliberately wasted and people punished for making use of it at all, whether they pay duty or not."¹²¹

The discontinuance of *panga* manufacture threw out of employment 23,000 persons, known as *malangis*. They belonged to the very poorest classes in Orissa. It was said that this "in itself was an evil in a poverty stricken country."¹²² C. F. Worsley, the Commissioner of Orissa, did not admit the reasonableness of this contention. He said: "The interests of taxpayers must be considered equally with the interests of the class directly affected, and if it be found that the cost of controlling the manufacture would be out of all proportion to the benefits conferred on a particular class, the interests of the minority must give way to the interests of the majority, or at any rate, the manufacturing class must be required to bear the full cost of the controlling establishment."¹²³

120. *Vide* BFP (Salt), November 1890, Commissioner of Orissa to Board of Revenue, No. 335, 9 April 1890.

121. BFP (Salt), November 1890, Collector of Cuttack to Commissioner of Orissa, No. 185, 17 March 1890.

122. *Ibid*, No. 2051, 1 April 1890.

123. *Ibid*, Commissioner of Orissa to Board of Revenue, No. 335, 9 April 1890.

Revival of Government Manufacture

The year 1891 marked an important epoch in the history of the salt administration in Orissa. The system of direct manufacture under the Government which had been finally abolished in 1863, was once more partially introduced under Madras supervision. At a conference held at Cuttack on January 12, 1891, at which Sir Charles Alfred Elliott, the Lieutenant-Governor of Bengal, C. F. Worsley, the Commissioner of Orissa, D. B. Allen, the Collector of Puri, R. Cornish, the Collector of Balasore, McMaster, the Salt Deputy Commissioner, Madras and Kingston, the Salt Assistant Commissioner, were present, it was decided that the Government salt factory should be opened immediately for the manufacture of *kurkutch* salt in Orissa in the same manner as were established in Madras.¹²⁴

When the salt administration of Orissa was placed under Madras Government, the salt manufacture in Orissa was fast decaying. The main cause of the decay was the costliness and inferiority of the local salt in comparison with Liverpool and Ganjam salt. As a result the local supply drifted away to Howrah *golas* where Liverpool salt was available. To correct this tendency was the main objective of the revival of Government manufacture under Madras plan.¹²⁵

As under the Madras system, the *Kurkutch* species of salt could be manufactured at less than one-third of the cost of the local *panga* salt and could be placed on the local market at one-fourth of the cost of Liverpool salt, it would keep down the price of the salt. The lower cost would increase the demand of the locally manufactured salt. Thus, the salt industry of Orissa would be put in a flourishing condition.¹²⁶

Another advantage of the establishment of Government factories would be the supply of employment to the *malangis*

124. Salt Report, Madras Presidency and Orissa, 1890-91, para. 6.

125. BFP (Salt), November 1890, Commissioner of Salt, Madras to Board of Revenue, No. 107, 10 March 1890.

126. *Ibid.*

whom the deprivation of their former employment converted into professional smugglers.¹²⁷

In view of these advantages of the revival of Government manufacture, Crole, the Commissioner of Salt, Madras, said: "The importance of success to the future welfare of the province could scarcely be overestimated."¹²⁸

In 1891 a Government salt factory was established at Tua on the Chilika lake in the district of Puri. On the same year, another experimental factory was opened at Sartha in the district of Balasore.¹²⁹

In 1892 the Raja of Parikud prayed for the revival of salt manufacture at Gurubai on the Chilika lake on the system of direct management by Government. The opening of the salt factory there was sanctioned in view to ameliorate the condition of the Raja's ryots and to also secure his help and co-operation which were considered essential for the successful working of the Government salt factory on the Chilika lake.¹³⁰

From the beginning the Sartha factory did not work smoothly. The cost of manufacture was considered prohibitive. Besides, it was felt that there was a risk of total failure of manufacture in the case of an unfavourable season and consequent financial burdens on the state in the shape of relief measures. In view of these considerations, the Sartha factory was closed in 1893. The manufacture under Government supervision continued in Tua and Gurubai factories in the Puri district.¹³¹

127. BFP (Salt), January 1891, Board of Revenue to Government of Bengal, No. 455, 22 January 1891.

128. *Ibid*, November 1890, Commissioner of Salt, Madras to Board of Revenue, No. 107, 10 March 1890.

129. Salt Report, Madras Presidency and Orissa, 1890-91, para. 6.

130. *Ibid*, 1891-92, para, 5.

131. *Ibid*, 1892-93, p. 1.

Retransfer of the Orissa Salt Department to Bengal

The main purpose of the transfer of the Orissa salt department to Madras was to prevent illicit practices. On enquiry, the Madras salt department ascertained that organised illicit manufacture was carried on in a large scale.¹³²

The Indian Salt Act XII of 1882 extended to Orissa in February 1888, in supersession of the Bengal Enactment VII of 1864, was found to protect the salt revenue very inadequately. It did not empower Government to prohibit the possession as distinguished from the manufactures of salt earth. The salt department was, therefore, powerless to deal effectively with the latter which was rife in the province, and by means of which the salt revenue was defrauded. To remedy these evils, Bliss, the Commissioner of Salt, Madras, recommended fresh legislation.¹³³

A difference of opinion arose between the Bengal authorities and Madras authorities on the advisability of undertaking legislation for the suppression of illicit manufacture of salt in Orissa. Sir Steuart Bayley, the Lieutenant-Governor of Bengal, did not support the proposal of the Salt Commissioner of Madras to resort to fresh legislation. He stated: "A small increase to the salt revenue would be dearly bought if it were to result in the harassment and impoverishment of any considerable section of the population."¹³⁴

The further correspondence that ensued as regards the amendment of the Bengal Salt Law led, Sir A. MacKenzie, the Lieutenant-Governor, to decide in favour of amendment. He wrote: "Sufficient *prima facie* evidence of the prevalence of illicit manufacture on a large scale is forthcoming to render it necessary in the interests of revenue to strengthen the salt law now in force in Bengal. This can only be done by taking over to make the possession of salt earth penal within the saliferous

132. Salt Report, Madras Presidency and Orissa, 1891-92, p. 2.

133. BFP (Salt), November 1890, Commissioner of Salt, Madras to Board of Revenue, No. 107, 10 March 1890.

134. *Ibid*, Government of Bengal to Government of India, No. 774 T-F, 23 October 1890.

tracts.¹³⁵ He was decidedly of opinion that for mitigating the distress of the poor on account of this provision, very stringent provision should be embodied in the law instead of being left to be dealt with by executive order.¹³⁶ The Government of India concurred in the views of Sir A. Mackenzie and approved of the principles on which the Bengal salt law would be revised and re-enacted.¹³⁷ The enactment would be extended to Orissa in place of the Indian Salt Act XII of 1882 which was then in force.

It was felt that the new enactment might not be adequate for the suppression of illicit manufacture of salt in Orissa and other saliferous tracts in the coastal districts of Bengal. So it was decided to create a special preventive staff.¹³⁸

It appeared to the Government of India that the reasons which formerly existed for placing the management of the salt department of Orissa under the Commissioner of Salt Revenue, Madras, had lost much of their value.¹³⁹ The proposed creation in Bengal of a special preventive establishment to deal with the illicit manufacture of salt and the enactment of an amended salt law would enable the Government of Bengal to control effectively the administration of salt revenue. Moreover, the experience gained in Orissa from operations of the Madras salt department would be of material service when the salt department in that division was reorganised under the direct administration of the Government of Bengal.¹⁴⁰

With the concurrence of the Government of Madras, the administration of the salt department in Orissa was retransferred

135. BFP (Separate Revenue), May 1896, Government of Bengal to Government of India, No. 88 T.F. 16 May, 1896.

136. *Ibid.*

137. *Ibid.*, September 1897, Government of India to Government of Bengal, No. 2143, S.R., 12 May 1897.

138. Salt Report, 1897-98, p. 1.

139. BFP (Separate Revenue), September 1897, Government of India, Finance Department to Government of India, Revenue Department, No. 2880 S.R., 2 July 1897.

140. *Ibid.*, Government of India to Government of Bengal, No. 2143 S.R., 12 May 1897.

red to the Government of Bengal on 1 October 1897.¹⁴¹ The Commissioner of Excise, Bengal, assumed the charge of the department. It was placed under the immediate control of the Assistant Commissioner of Salt Revenue till 1901 when the department was made over to Collectors.¹⁴²

The working of the salt department in Madras was a total failure. The main objects of the change were not attained after 11 years of trial.

The salt was of poor quality and dear. The consumption per head was less than what it was in 1886. The retail price remained stationary and was not much below the prices that prevailed in the rest of Bengal.¹⁴³

In 1894 it was pointed out that the expenses had been out of all proportion to the receipts. The cost for levying less than 20 lakhs of revenue had been 1½ lakhs. In the rest of Bengal, revenue of Rs. 2,36,63,962 was collected at the cost of Rs. 26,778.¹⁴⁴

H. G. Cooke, the Commissioner of Orissa, stated: "The system has injured Orissa by destroying a local industry. The main object of the change has not been attained after nine years of trial, in that the consumption is actually less than it was before the new system was introduced. Financially it involves a loss of revenue."¹⁴⁵

The Madras system brought about a decrease in consumption of about 2 pounds per head during ten years from 1887 to 1899. It proved that there was an increase of illicit practices, the suppression of which was the main objective of the transfer.

Besides, the financial results of the Madras system were unfavourable. From 1883-84 to 1885-86 the net receipts gave

141. Salt Report, 1897-98, para. 25.

142. Quinquennial Administration Report, Orissa, 1900-01 to 1904-05, p. 11.

143. RAB, 1893-94, p. 287.

144. *Ibid.*

145. RAO, 1894-95, p. 16.

an average profit of Rs. 13,49,797 a year. From 1886-87 to 1893-94 the average profit was Rs. 16,82,772 a year. H. G. Cooke estimated that net income under the old system would have been Rs. 17,27,740 during the latter period a year. Thus, the Madras system had shown a loss of revenue.¹⁴⁶

In view of these facts, there could be no room for doubt that the Madras system had not been successful in Orissa.

The Madras Government attributed their failure "to a cause over which it had no control and which it did utmost to remove." It was their inability to organise efficient prevention of illicit practices. That inability was assigned to the differences between the Bengal and Madras Governments regarding the preventive measures. In Madras it was held that the salt law must be made universally respected. Every one must contribute his share to the only tax which the poorest members of the population need pay. In Bengal on the other hand, it was considered better to sacrifice an unknown, and possibly considerable amount of imperial revenue than to embark on any comprehensive system of prevention with the attendant prosecutions.¹⁴⁷

The Madras officers who came to Orissa did not know the language and ways of the people of Orissa.¹⁴⁸ In their resolution of 25 March 1891, the Madras Board of Revenue stated: "The Deputy Commissioner regrets to observe that ignorance of Oriya on the part of the departmental officers is one of the practical difficulties in the way of the successful working of the system of direct manufacture at Tua."¹⁴⁹

"The Orissa factories", observed Pandit Gopabandhu Das, "lying as they did at the tail end of the jurisdiction of the Madras Salt Department and outside the Presidency, did not receive proper supervision and care from the Madras officers

146. RAO, 1894-95, p. 16.

147. BFP (Separate Revenue), September 1897, Resolution of the Government of Madras, No. 384, 29 September 1896.

148. *Ibid*, Collector of Customs, Cuttack, to Commissioner of Orissa, No. 205, 1 April 1890.

149. *Vide* S. C. Aggarwal, Salt Industry in India, p. 161.

who naturally attended more to factories situated in the Presidency under their immediate supervision.”¹⁵⁰

In the opinion of the Bengal authorities, the cause of the failure was that the Madras system did not lend itself to work harmoniously with the Bengal system of civil administration. The Commissioner of Orissa stated: “A more serious difficulty is the inadaptability of the Madras preventive system to Orissa, in that it entirely ignores the important part that the District Officer in Bengal has taken in administrative work. No department of Civil Government that is not purely technical can expect to work efficiently without the co-operation of the District Officer. The system in Madras is apparently different, but I am confident that what I have said is the case in Bengal. If there is any good to be derived from the Madras system in Orissa, of which I am not convinced, it is not likely to be attained till the salt establishment is subordinated to the District Officers and to the revenue authorities of Bengal.”¹⁵¹

There arose on several occasions frictions between Bengal officers and Madras officers, which obstructed the working of the salt department. Government of India observed that it was difficult to prevent occasional friction between the officers and department who were directly subordinate to the Government of Bengal and the salt establishments which belonged to a department controlled by Madras officials.¹⁵²

For these reasons the Madras system failed to achieve the objectives.

Closure of the Government factories at Tua and Gurubai

For a long time the narrow strip of land situated between the Chilika and the sea had been the place of *kurkutch* manufacture. In the days of old monopoly the tract used to make enough salt, not only for local requirements but also for export

150. *Vide* S. C. Aggarwal, Salt Industry in India, p. 161.

151. RAO, 1894-95, p. 15.

152. BFP (Separate Revenue), September 1897, Government of India, Finance Department to Government of India, Revenue Department, No. 2880 S.R., 2 July 1897.

to other places. Even after the abolition of the Government monopoly in 1863, manufacture continued according to excise rules under Act VII (B.C.) of 1864. In 1891 the monopoly system was introduced under which manufacture was confined to two well-organised factories at Tua and Gurubai.¹⁵³ These two factories worked for seven years and in 1898 they were pronounced a failure.

From the beginning the difficulty in obtaining labour stood in the way of the successful working of the factories. In this tract there was no surplus population to carry on agricultural labour along with the manufacture of salt. As the *malangis* in the factories were really agriculturalists, their yearly attendance at the factory depended a good deal on the condition of the crops. If the crops were poor, they resorted to the alternative salt manufacture. If the paddy harvest was good, they did not show the same readiness to manufacture salt. As a result the factory could not be conducted on a solid commercial basis.¹⁵⁴

The most important cause of the failure of the Government manufacture was the falling off of the sales of Chilika salt. The sales of Chilika salt for the 11 years from 1886 to 1897 are given below:

	I	<i>Mds.</i>
1886-87	..	155,470
1887-88	..	116,535
1888-89	..	120,353
1890-91	..	121,656
1891-92	..	12,319

II

	<i>Mds.</i>
1892-93	60,811
1893-94	15,574
1894-95	36,665
1895-96	74,635
1896-97	48,224

The sales averaged about a lakh of maunds during the

153. BFP (Separate Revenue), February 1898, Commissioner of Excise, Bengal, to Board of Revenue, No. 125, 11 November 1897.

154. Salt Report, 1895-96, para. 3.

first period of six years, but during the second period they declined to 46,783 maunds.¹⁵⁵

The causes of this falling off were not far to seek. The excise manufacturers were men of capital and substance. They commanded trade centres not only in Puri, but in the neighbouring districts of Cuttack and Tributary Mahals. They used all their influence and resources to keep out the Ganjam salt on the one hand and Liverpool salt on the other. It was clearly their interest to push on the sales of Chilika salt. But this aspect was quite changed with the change of system under which Government began to make salt on its own account and dealt direct with the *malangis*. Chilika salt thus lost the support which in a great measure kept it on its legs. Left to itself it never had a fair chance of competing with its rival from the south.¹⁵⁶

The cost of freight was higher in the case of Chilika salt than that of Ganjam salt. There was a regular and extensive trade in grain with Ganjam from Puri. The boats sailing down the Chilika or carts travelling by the trunk road with grain generally brought back a return cargo of salt. But the lake factories could be reached only by boats across several miles of open water or by carts over long stretches of land. Both then had to go empty for bringing salt. The cost of freight was, therefore, higher in the case of Chilika salt. Consequently, most of the traders refused to buy Chilika salt. The opening of the East Coast Railway in 1895 still further improved the position of the southern factories which were situated on the direct line of communication.

Owing to climatic conditions crystals of Ganjam salt were larger and firmer than those of Chilika salt. So Ganjam salt bore transport and suffered less from wastage than Chilika salt, which was thin grained. Of late, the Madras authorities extended the Ganjam factory, which was then well able to supply the entire requirements of the area formerly served by

155. BFP (Separate Revenue), February 1898, Commissioner of Excise, Bengal, to Board of Revenue, No. 125, 11 November 1897.

156. *Ibid.*

Chilika salt. The Government price was the same, viz., four annas, both in Ganjam and in the Chilika.

Besides, the small and inadequate stocks held at the lake factories for the first two years of Government manufacture necessitated a larger resort to Ganjam. This was still further stimulated by the opening of the railways.

For these reasons the sale of salt declined at the Tua and Gurubai factories. The reduced sale naturally led to accumulated stocks. In October 1897, the balance at the two factories was 5,62,149 maunds. At the average rate of sales for the past five years, viz., 46,783 maunds per annum, the quantity in store would, after allowing for wastage, last for over two years. In 1897 the sale of salt dropped to 9,784 maunds due to the better facilities afforded by the Bengal-Nagpur Railway for the import of Ganjam salt into Orissa. Judging from this rate of sale, it was by no means impossible that a larger period would be required for the clearance of existing stocks.¹⁵⁷

In view of the accumulated stocks and the large falling off of sale as the adverse effect of the new railway on the Chilika salt, it was decided in 1898 to close Tua and Gurubai factories.¹⁵⁸ The action was delayed until the existing stocks had been disposed of and the factories were abolished in 1902. A suggestion that the manufacture of salt in Orissa under the excise or licensed system might be revived was considered impracticable.¹⁵⁹

The manufacture was thus finally stopped and with it died an indigenous industry which supported a large number of people. K. G. Gupta, the Commissioner of Excise, Bengal, remarked: "The change of system, contrary to expectation, but for reasons which might have been foreseen, dealt a death-blow to the long standing local industry, which, though its

157. BFP (Separate Revenue), February 1898. Commissioner of Excise, Bengal, to Board of Revenue, No. 125, 11 November 1897.

158. Salt Report, 1897-98, para. 4.

159. *Ibid*, 1901-1902, para. 7.

actual extinction was only a question of time, might otherwise have lingered on for few years longer.¹⁶⁰

New Source of Salt Supply

After the abandonment of local manufacture, Orissa had to depend entirely on imported salt. Before the introduction of the railway the imported salt consumed in Orissa was mainly Liverpool salt. But the extension of the East Coast Railway changed the source of imported salt. It enabled Madras salt to make a rapid advance at the expense of the Liverpool article.¹⁶¹ Madras salt proved itself a great competitor in places where for many years salt from Europe enjoyed a complete monopoly.¹⁶² By 1905 it nearly ousted Liverpool salt from all the districts of Orissa. Henceforward, the salt required for local consumption was chiefly supplied from Madras Presidency.¹⁶³

Reduction of Duty

1902 was the last year of the Orissa salt manufacture. The total receipts from locally manufactured lake salt amounted to Rs. 5,69,589 in 1902. If the duty realised on the salt imported from other places and consumed in Orissa was added to the receipts from locally manufactured salt, the total revenue amounted to Rs. 27,92,301.¹⁶⁴

In March 1903 the duty on salt was reduced from Rs. 2-8 to Rs. 2 on each maund.¹⁶⁵ In 1905 there was a further reduction to Rs. 1-8 per maund. These reductions brought about a fall in retail prices of locally manufactured salt and thus facilitated the sale of existing stock of salt.¹⁶⁶

160. BFP (Separate Revenue), February 1898, Commissioner of Excise, Bengal, to Board of Revenue, No. 125, 11 November 1897.

161. Salt Report, 1899-1900, Resolution of the Lieutenant-Governor of Bengal, No. 1511 T-F, 1 October 1900.

162. S. C. Aggarwal, *Salt Industry in India*, p. 101.

163. Quinquennial Administration Report, Orissa, 1900-01 to 1904-05, p. 9.

164. Salt Report, 1901-1902, p. 33.

165. Salt Report, 1902-03, p. 1.

166. *Administration of Bengal under, Sir Andrew Fraser*, p. 23.

CHAPTER IV

Police Administration

Police Administration at the time of the transfer of powers to Crown

On the eve of the transfer of powers to the Crown in 1858, the police administration of Orissa was in a hopelessly bad condition. The policing of the province had hitherto been entrusted to a force, partly civil and partly military, which was inefficient and corrupt. Experience had shown that it was difficult to maintain military discipline without the separation of the Military from the civil force.¹ The subordinate police officers were underpaid and exposed to temptations. They even used to make up their pay by forced contributions from the people. The *daroga* was identified by the people with torture, extortion and oppression. It was well known that a man who had been robbed of a considerable quantity of property, would rather bear his loss and hide the occurrence than, by bringing the police to investigate, double it by payment towards their demands. The want of proper superintendence was another great desideratum of the police.² Crime had not diminished in quantity. The whole police system was described in 1859 by the first Lieutenant-Governor, Sir Frederick Halliday, as a curse to the nation.³

1. L. S. S. O'Malley, *History of Bengal, Bihar and Orissa, under British Rule*, p. 429.

2. *Calcutta Review*, Vol. XLI 1865, "The Police of Bengal", p. 37.

3. L. S. S. O'Malley, *History of Bengal, Bihar and Orissa, under British Rule*, p. 429.

The Police Commission of 1860

Such was the state of Orissa police when the Police Commission was appointed on 17 August 1860 by the Government of India to enquire into the condition of the police administration throughout India and to submit proposals for improving the efficiency and reducing excessive expenditure. In September 1860 the Police Commissioners submitted their report together with a Draft Act in which were embodied the unanimous conclusions of the Commission regarding the principles, system and method in which a good police for the whole of India should be organised.⁴

The Commission recommended the abolition of the military police as a separate organisation, and the constitution of a single homogeneous force of civil constabulary for the performance of all duties which could not properly be assigned to a military arm. The civil constabulary should be under the executive Government for all police purposes, protective, preventive and detective. To secure unity of action and identity of system the general management of the force in each province was to be entrusted to an Inspector-General. The police in each district were to be under a District Superintendent, who in large districts should be assisted by an Assistant District Superintendent, both the officers being Europeans. The subordinate force recommended consisted of Inspectors, Head Constables, Sergeants and Constables. The Head Constable was to remain in charge of a police station and the Inspector of a group of such stations. No mention was made of any police officer of the rank of Deputy Inspector-General. The Commission recommended that Commissioners of Divisions should cease to be Superintendent of Police, though it was explained that it was not intended to limit in any way their general control over the criminal administration or their authority over the District Magistrate. On the subject of the relations between the Magistracy and the police, they came to the conclusion that no magistrate of lower grade than the District Magistrate should exercise police functions. As regards pay it was pro-

4. Final Report of the Police Commission of 1860, pp. 1-2.

vided that the pay of the constabulary should be always equal to the highest wages of unskilled labour, that of officers and non-commissioned officers being such as to put them above temptation, and to form an inducement to respectable men to enter.⁵

The Commission submitted a Bill, based on the Madras Police Act, to give effect to these recommendations, and this was passed into law as Act V of 1861. The modern system of police was inaugurated in 1861-63 under the operation of this Act.⁶

Organisation of the New Police

In accordance with the provision of the Act V of 1861, Carnae, a Bengal civilian of experience and long recognised as a Magistrate having special aptitude for the management of the police, was appointed the first Inspector-General of Police in Bengal.⁷ Three Inspector-Generalships were created in Bengal. Orissa was placed under the Deputy Inspector-General of the Burdwan circle. E. M. Baker, the first Deputy Inspector-General, joined his appointment in June 1863.⁸

The Deputy Inspector-General visited Orissa and inaugurated the civil constabulary or New Police. The 8th military Police Battalion, which was originally formed from the Orissa *Paik* Company was disbanded, and many of the *paiks* were taken into the New Police. Fresh recruitments were also made for the new organisation. Little difficulty was experienced in organising this reformed organisation. The Commissioner and Magistrate gave every assistance. A District Superintendent was appointed to each district. They took over from the Magistrate the organisation and discipline of the force. The

5. W. R. Gourlay, *A Contribution towards history of the police in Bengal*, Chapter IX.

6. L. S. S. O'Malley, *History of Bengal, Bihar and Orissa, under British Rule*, p. 429.

7. *Calcutta Review*, Vol. 59, 1874, "Bengal Police", p. 124.

8. BJP (Police), November 1864, Second Annual Report of the working of the civil constabulary, Lower Provinces, Bengal, No. 2755, 21 July 1864.

Superintendents of Cuttack and Balasore joined their appointments on 8 August 1863 and Superintendent of Puri in July 1863.

By the end of 1863 the organisation of the new civil police was complete and the strength of the police of all grades was 543 in Puri, 512 in Balasore and 968 in Cuttack.⁹

Working of the New Police

The New Police did not work satisfactorily. The reforms introduced in the police system by the Act V of 1861 did not prove adequate to ensure the efficiency of the Police administration. Crime was not generally great in number and was decreasing relatively when viewed from the growth of the population. At the same time it was found that a large number of crimes which actually occurred did not come to the notice of the police or of the Magistrates, and was, therefore, never enquired into. The police enquiry into a large number of the cases taken up was fruitless, and such cases never came before the courts. A disproportionate number of persons brought before the courts were acquitted. The broad result was that upwards of 70 per cent of serious crimes went unpunished, that at least 90 per cent of the most dangerous offences against property remained undetected, and that in the 11 years between 1875 and 1886, the percentage of convictions among the total number of persons tried by the courts and charged with offences, never exceeded 61.¹⁰ This result was assigned to the lamentable failure of the administration of police. On the practical working of the police in the investigation of cases, B. L. Gupta, the District Judge of Cuttack, made the following observations:

Many good and important cases were "spoilt-nipped in the bud by a faulty erroneous, or too brief record of the first information". Some Head Constables were almost illiterate. They had their own pet phrases and followed the antiquated police

9. BJP (Police), November 1864, Second Annual Report of the working of the civil constabulary, Lower Provinces, Bengal, No. 2755, 21 July 1864.

10. RAO, 1875-76 to 1885-86.

style of composition instead of taking down as far as practicable the exact words of the informant. It was impossible, in his opinion, to exaggerate the importance of the first information in a criminal case. He suggested that its correct record and punctual submission should be ensured by strict rules.

In many important cases the investigating officer delayed examining or at least recording the statements of the witnesses for the prosecution of the named in the first information. When the investigating officer was examined on oath, he made some idle and palpably false excuse. The real reason was that the officer delayed the examination pending the settlement of terms with the complainant or with the accused, whoever was richer. Meanwhile, the case was hopelessly ruined. A murder, for instance, took place on the 15th; the police officer arrived on the spot in the morning of the 16th, but the alleged eye-witnesses to the murder made no statements to the police until the 18th. Such delays were of frequent occurrence. It was unpardonable and fatal to the case. Consequently the door to bribery was left wide open and important cases were hopelessly spoilt. The District Judge proposed that the examination of all witnesses named in the first information within 24 hours and prior to the examination of other witnesses should be insisted on under pain of dismissal.

It was also seen that a police officer, after he had sent up the accused and examined every witness, lingered in the village for days together. His only possible motive was to realise his reward, but his ostensible reason was to collect further evidence. But such evidence was seldom sent. The District Judge was of opinion that when a case was fully proved and the enquiry completed, no police officer should be allowed to linger on the scene an hour longer.

Important witnesses who were named by other witnesses and were expected to know of the facts, were often not examined, or, if examined, not sent up. The reason assigned was that those witnesses, being friendly to the accused, were not expected to tell the truth. But the District Judge said: "It often becomes necessary that the court should hear from their

mouths what they have got to say, it being fully within the court's discretion to believe or disbelieve them."

Where many witnesses could establish an event, the relatives and friends of the prosecutor or the enemies of the accused were sent up in preference to independent and disinterested witnesses. The District Judge said: "Stress is laid on this point, not in the Magistrate's Court, where defence is reserved, but in the Sessions Court, and it being too late then to supply the omission, the case breaks down."

Another defect pointed out in the working of the police was that the offenders were often allowed to abscond by the investigating police officers. They purposely omitted to arrest them for a consideration."¹¹

The District Judge said that these defects in the working of the police had been proved before him many a time. He brought them to the notice of the District Magistrate from time to time. Several causes were responsible for this highly unsatisfactory condition of the police.

The district officers were of opinion that the police of Orissa were generally weak and inefficient. The work of Sub-Inspector and Head Constables as regards the detection and prevention of crime was extremely bad. Many of them were inferior men, ignorant and indolent.¹² In 1888 the Collector of Cuttack said: "The police, specially the petty officers, are very inferior. They seem to have but little judgment in sending up the cases and the district police sadly wants new and active blood."¹³ In 1873, T. E. Ravenshaw, the Commissioner of Orissa, said: "A native of Orissa generally makes an indifferent policeman, he is loose and purfunctory in his ideas and habits, and requires an immense amount of teaching to bring up to the standard of a sharp active officer."¹⁴ In 1884, Larminie, the Commissioner of Orissa, observed: "What I have

11. BJP (Police), November 1892, No. 154, District Judge of Cuttack to Government of Bengal, No. 420, 13 August 1890.

12. RAO, 1888-89, p. 18.

13. *Ibid.*

14. *Ibid.*, 1873-74, para. 74.

seen of the work of the Orissa police has given me very bad opinion of both their efficiency and honesty. The system followed in my opinion is such as precludes any serious immediate improvement. The force is officered almost entirely by Oriyas, who have never been employed elsewhere and who have the most elementary ideas as to what real police work is.¹⁵ The Inspector-General of Police in his inspection note of 1885 expressed great dissatisfaction with the working of the police department in Orissa.¹⁶

Another evil in the administration of police was the low pay of the Head Constables and other subordinate officers of police. To pay a Constable Rs. 6 a month and a Head Constable Rs. 10 especially when certain deductions were made for uniform, was to offer a strong inducement to dishonesty. Especially for investigation work, honest and intelligent persons were required to afford a guarantee of ability to carry on criminal investigation with proper skill and integrity. But the scale of pay then allowed was insufficient to attract persons of intelligence and education and did not give the appointment sufficient value to make it worth a man's while to be honest. It was universally admitted that if the subordinate police officers were treated in a fair and considerate way, the strong prejudice against service in the police which existed among the upper classes would gradually vanish and candidates of sufficient moral and intellectual qualifications would join the police service.¹⁷

It was also well known that prospects of promotion in these lower grades of police was insufficient to attract competent and trust-worthy persons. C. F. Worsley, the Commissioner of Orissa, said: "The uncertainty of promotion, seems to me a matter of grave importance. Whatever may be the number of grades in each of the three classes of Sub-Inspectors, Head Constables and Constables, terms of years ought, in my opinion, to be fixed within which a police officer might rise in 'succession from the lowest to the highest grade of his class without reference to the vacancies. Promotion from one class

15. *Ibid*, 1883-84, p. 16.

16. *Ibid*, 1884-85, para. 19

17. RAO, 1877-78, para. 75.

to another should be made largely according to merit, but every officer ought have the certainty of rising within a fixed time to the highest grade of his class by average good service. What the various qualifying terms should be I cannot pretend to say, but I believe firmly in the principle which I have proposed."¹⁸ Such an improvement in the position of its subordinate members, he hoped, would result in the popularity and efficiency of the police."¹⁹

The failure of the police in dealing with crime was also ascribed to the frequency of transfers of the police officers from one district to another. As a result, the district was deprived, at any moment, of smart and competent Sub-Inspectors or Head Constables whom they trained. Worsley, the Commissioner of Orissa, held: "If there is to be really efficient police administration in every district, police officers, as a rule, should be continuously employed in the district to which they are first posted or in which they are recruited."²⁰

The miserable condition of the village police was also responsible for the deterioration of the police administration. The village police was the connecting link between the regular police and the people. The village chaukidars generally came from the lowest classes of society. Their poverty was deep and their ignorance was unlimited. Their *jagirs* were usually insufficient for maintenance and the "panikawri" paid them to supplement it was entirely at the will of the villagers.²¹ On the other hand they were despised and looked down upon by the regular police who often employed them on menial work rather than for detective purposes. Consequently, a fuller performance of police duties in the matter of reporting crime, giving information taking precautionary measures, and rendering assistance in the investigation of crimes which were required of village police, was not discharged sincerely and regularly.²² It was said that no scheme of police reform would be

18. BJP (Police), November 1892, No. 146, Commissioner of Orissa to Government of Bengal, No. 591J, 31 July 1890.

19. *Ibid.*

20. RAO, 1889-90, para. 74.

21. *Ibid.*, 1890-91, para 68.

complete which did not contemplate the raising of status of the village chaukidars.²²

Another important cause of the failure of the police investigation was that the public in general were not in sympathy with the police. To be able to cure this malady, the administrators tried to ascertain its true causes. First, the Oriyas were said to have possessed constitutional apathy in all matters which did not directly and personally concern them. Secondly, they were reluctant to be mixed up in criminal proceedings and thereby to incur the risk of personal inconvenience. They feared, not always without reason, that they might have to attend the court as witnesses or give the police an opportunity to annoy and harass them. Thirdly, they had no confidence in the police and the general belief was that the police were rude and oppressive and at the same time corrupt and exacting.²³

For the first of these causes, viz., the want of public spirit and the innate apathy of the people, the police was in no way responsible. It was a cause not easily removable. But as far as the second and third causes were concerned, the police was to a great extent, responsible. It was pointed out that those were the causes which might be greatly mitigated though they might never be altogether removed. The proceedings of the police must necessarily be harsh and unrelenting. The unpopularity of the police was not peculiar to this province. However, it was expected that with the removal of the avowed defects in the present working of the police and a marked improvement in the constitution of the ranks of the police, the causes of the complaint would be gradually removed and the public would be slowly and surely inspired with confidence and sympathy.²⁴

Another difficulty which the police as well as the magistracy had to surmount was the character of the general mass

22. BJP (Police), November 1892, No. 154, District Judge of Cuttack to Government of Bengal, No. 420, 13 August 1890.

23. *Ibid.*

24. *Ibid.*

of the population from which the police was drawn. The police were of, and from, the people and as were the people so were the police. To speak broadly, the police had but a faintly developed sense of public morality, of the far-reaching duties of the individual towards the public at large. They viewed without reprobation the giving and taking of bribes. They did not interest themselves, in matters outside their immediate personal concern, to oppose oppression or blackmail or false evidence or other offences against the public. The police, therefore, had not the sharp incentive of public opinion to keep them up to the mark. The discipline to which they were subjected, was not sufficient to raise their standard of public morality in any marked way above that of the class to which they belonged.²⁵

The above causes were responsible for the failure of the police administration in Orissa. The said condition of the police prevailed in every division of Bengal.

Police Committee of 1890

That the police as a department stood in urgent need of reform, was "almost a truism admitting of no doubt and commanding general assent". By a Resolution dated 24 September 1890, the Lieutenant-Governor, Sir Stewart Bayley, constituted a committee to enquire minutely into the causes of the imperfection in the police administration and to ascertain by what means, remedies capable of being made practically effective could be devised and applied. J. Beames, the Commissioner of Bhagalpur, was appointed President of the committee and started work in August 1890. The Commission submitted their report on 26 February 1891.²⁶

The most important part of the recommendation of the committee was that no officers inferior in rank to Sub-Inspectors should be employed in the investigation of criminal cases

25. BJP (Police), November 1892, No. 146, Commissioner of Orissa to Government of Bengal, No. 591J, 31 July 1890.

26. RAB, 1891-92, pp. 7-10.

and that the Head Constables, whose number would be greatly reduced, should be confined to a work of a less responsible nature. It practically amounted to substitution of a Sub-Inspector wherever there was an investigating Head Constable. Sir Charles Elliott, the Lieutenant-Governor, accepted this principle and determined to carry it out as far as possible. But he found that the cost of this would be prohibitive in the present state of the finances. He, therefore, decided that an increase of cost involved in the improvement, would have to be met by reduction in some other direction.²⁷

He was led to believe that in many districts, the number of reporting outposts had been unnecessarily increased, and that those at which on an average of three years, a very small number of offences had been reported, might safely be abolished. He also desired that by a judicious redistribution of the station staff, a considerable reduction might be effected in the number of investigating staff of the lowest rank (constables). He hoped that these changes would go some way to compensate for the extra expenditure necessary for increasing the number of Sub-Inspectors.²⁸

The Lieutenant-Governor felt that it was impossible to work out the details of this change without local enquiry. He, therefore, appointed a special committee composed of H. J. S. Cotton, the Financial Secretary to Government, as President and J. C. Veasey, the Inspector-General, as a member. It entered in its duties in December 1891.²⁹ The orders communicated to the committee were (1) to work for each district by local enquiry the number of Sub-Inspectors required to replace Head-Constables as investigating officers, and the changes necessary in the distribution of force; (2) to consider the re-organisation of the district reserves, and how far this could be effected as part of the scheme of redistribution; and (3) to

27. RCP, 1890, Resolution of the Lieutenant-Governor of Bengal, No. 4298J, 28 November 1891.

28. BJP (Police), August 1893, No. 4, Government of Bengal to all Commissioners, No. 182 J.D., 27 June 1893.

29. RCP, 1890, Resolution of the Lieutenant-Governor of Bengal, No. 4298J, 28 November 1891.

frame rules for the appointment of Sub-Inspectors and for their subsequent promotion.³⁰ The committee submitted its report in May 1893.³¹

The following measures were taken to implement the recommendations of the committee relating to the first order. In March 1894, 38 out-posts were abolished in Orissa—14 in Cuttack, 13 in Balasore, 11 in Puri. In Puri the jurisdiction of the abolished out-posts was distributed among the existing ones. The chaukidars were employed in place of constables in towns of Cuttack, Jaipur and Kendrapara in the district of Cuttack in 1894.³² Balasore was allowed to have a mixed force of chaukidars and constables for watch and ward. The proposal to substitute chaukidars for constables in the town of Puri was abandoned in consideration of the influx of pilgrims from all parts of India.³³

From the funds saved by the reduction of expenditure by the changes mentioned above, the Head Constables were gradually replaced by Sub-Inspectors as investigating officers. The most prominent feature in the administration of police during the period, 1894-1904, was the progress of the policy of substituting the Sub-Inspectors for Head Constables for investigation of crime. The number of Sub-Inspectors at the end of the quinquennium, 1895-1899, in the districts of Cuttack, Balasore and Puri were 21, 16 and 14 and at the end of the quinquennium, 1899-1904, were 33, 28 and 30 respectively. The number of Head Constables at the end of quinquennium, 1895-1899 in the districts of Cuttack, Balasore and Puri were 56, 37 and 41 respectively. These figures clearly show that the number of Sub-Inspectors increased during the period of 83 per cent while the number of Head Constables decreased by 27 per cent.³⁴ However, the scheme came into full effect after 1904,

30. RAB, 1891-92, pp. 7-10.

31. RAO, 1892-93, para. 35.

32. *Ibid*, 1893-94, para. 45.

33. *Ibid*, 1894-95, para. 170.

34. Quinquennial Administration Report, Orissa, 1900-01 to 1904-05, p. 17.

when the recommendations of the Police Commission of 1902-1903 were carried out.³⁵

In order to introduce a better type of men into the police service, the Police Committee of 1890-91 recommended that the Sub-Inspectors should be appointed by competitive examinations.³⁶ The Police Redistribution Committee agreed with the Police Committee of 1890-91 as regards the necessity of introducing this important change in the system of recruitment of the investigating staff. The Government of Bengal accepted the recommendation. The rules were framed by the Police Redistribution Committee. Henceforward, the appointment of new men (other than those promoted from the grade of Head Constable to the grade of Sub-Inspectors) was made on the results of competitive examinations. The first examination was held under the rules in February 1893. Only those candidates who were of good moral character and had passed the Entrance Examination and satisfied certain physical tests, were allowed to compete. Selections were not made purely in the order of marks which the candidates obtained, but care was taken to secure a due proportion in the representation of different classes, such as Mahomedans and Hindus, Biharis and Bengalis.³⁷ The higher standard of qualification which the rules required aimed at materially improving the standing and status of Sub-Inspectors.³⁸

The selected candidates were put through a probationary course of instruction. During 1895, the Inspector-General submitted a scheme for the establishment of a permanent Police Training School at Bhagalpur, with the object of giving suitable training to the investigating officers of Bengal. The project received the sanction of the Government of India and of the Secretary of State.³⁹

35. W. R. Gourlay, *A Contribution towards History of the Police in Bengal*, p. 87.

36. RCP, 1890, para III.

37. RAB, 1895-96, p. 4.

38. BJP (Police), August 1893, No. 4, Government of Bengal to all Commissioners, No. 182 JD, 27 June 1893.

39. RAB, 1895-96, p. 4.

It was believed that the new system would lead to the recruitment of a higher and more capable class of investigating officers.⁴⁰

With the passage of time the demerits of the system came to light. In 1903 the Lieutenant-Governor agreed with the Inspector-General that the present system by which a certain number of Sub-Inspectors were recruited by open competitive examination proved a failure. Orissa no longer sent candidates for that examination as it was found that they were always below the requisite standard and a sufficient number of qualified candidates did not present themselves at the examination held at Patna. Further, candidates recruited by open competition had often proved unsatisfactory. The results of the system were, on the whole, unsuited to Orissa.⁴¹

The Police Committee made a number of recommendations to increase the pay of the various grades of police. They recommended for increasing the pay of constables on the ground that the standard of wages had arisen generally amongst the labouring and lower classes throughout Bengal. It was also recommended for the enhancement of the pay of the Head Constables and Sub-Inspectors on the ground that the young men of ability and qualification could be attracted to police service.

There were four grades of Head Constables drawing Rs. 10, Rs. 15, Rs. 20, and Rs. 25 a month. The Committee proposed to do away with the fourth grade and to have in future three grades only, on Rs. 15, Rs. 20, and Rs. 25. The Sub-Inspectors were divided into five grades with pay at Rs. 30, Rs. 50, Rs. 60, Rs. 70 and Rs. 80. The Committee proposed to do away with the fifth grade and to arrange Sub-Inspectors in four grades on Rs. 40, Rs. 60, Rs. 80, and Rs. 100. The pay of the rank of Inspectors commenced at Rs. 100, which was the salary of a fourth grade Sub-Inspector and rose to Rs. 250. The Committee proposed to increase the salary of the lowest grade from Rs. 100 to Rs. 150.⁴²

40. *Ibid.*

41. *Ibid.*, 1902-03, p. 19.

42. RCP, 1890, p. 80.

As regards the pay of Sub-Inspectors and Inspectors, the Government of Bengal was of opinion that sufficient reasons had not been shown by the Committee for the increase of their pay. Moreover, the Government expressed inability to meet the expenses caused by the increase of pay. It was also decided that as the Head Constables were required no more to perform investigation work, the three grades with pay at Rs. 12, Rs. 15, and Rs. 20 were sufficient. The pay of the constables was enhanced only in the Presidency, Rajshahi, Dacca and Chittagang divisions.⁴³

Thus, the hopes which were entertained regarding the reform of the police administration of Orissa were not fulfilled. It was said that there would not be any considerable improvement of the police administration in Orissa even after the implementation of the recommendations of the Committee. The pay of the constables was not raised in Orissa, though it was raised in other divisions of Bengal. The pay of the lowest grade of Head Constables was enhanced by two rupees whereas the pay of the highest grade of Head Constables was reduced by five rupees. On the whole their financial condition became worse than what it was previously, although some of them were still required to perform the work of investigation of criminal case. The Sub-Inspectors were selected by competitive examination and their powers increased. But the pay did not increase. When the pay of Sub-Inspectors did not increase, there could not be any increase of the pay of Inspectors. Thus, the most important cause of the failure of police administration, that is, the low pay of the subordinate police officers, who were vested with the power of investigating criminal cases, was not removed.⁴⁴ The difficulty of getting a fairly decent class of men, capable of intelligent and zealous work, continued. R. C. Dutta, the Commissioner of Orissa, pointed out: "I do not think the police of this Division will compare unfavourably with the police in other parts of the Province, but I agree with Mr. De in thinking that it would be desirable to have a better

43. RCP, 1890, Resolution of the Lieutenant-Governor of Bengal, No. 4298J, 28 November 1891.

44. *Utkal Dipika*, 19 December 1891, pp. 388-389.

class of officers—men with more intelligence and zeal for honest work—in the subordinate ranks of the police. The new rules introduced, and the larger allowances sanctioned, will no doubt effect some improvement, but one great defect remains untouched. Fifteen or twenty years ago a Sub-Inspector's initial pay was Rs. 30. The price of rice and of other articles has gone up 50 per cent within this time, and the initial pay of a Sub-Inspector instead of being increased is now Rs. 30. It is not possible to get a proper man, fit for the responsible duties of a police Sub-Inspector on Rs. 30 a month, and we are bound to have an inferior set of men so long as the initial pay is kept so low.”⁴⁵

Special Police-station for Cuttack

In 1891, the need for a special police-station was keenly felt for the town of Cuttack. G. Stevenson, the Magistrate, made the following observations, with which G. Toynbee, the Commissioner of Orissa, fully agreed:

“A special police-station for Cuttack town alone is much needed. The town is the resort of many bad characters, and its straggling character affords special opportunities for burglary and house thefts. At present the *Sadar thana* jurisdiction comprises not only the town itself, but a large *mufassal* area besides. It is not, therefore, possible for the Sub-Inspector and his subordinates to make themselves so thoroughly acquainted with the town bad characters, their ways and means, as if they had only the town to deal with.”⁴⁶

Next year, Stevenson made the following comments on the point:

“The want of such an office was very keenly felt in the year under review. During 1892-93, as is always the case with a large town, Cuttack attracted from the interior many persons in reduced circumstances, and to this fact, and to the pressure felt by the usual floating town population, is no doubt

45. Vide RAO, 1895-96, p. 29.

46. *Ibid*, 1891-92, p. 9.

to be attributed the increase in thefts and burglaries in the Cuttack municipal area during the year..... With a special Town Sub-Inspector I should expect vigorous measures to be taken under the Criminal Procedure Code against known bad characters. The increase in thefts and burglaries is not confined to 1892 alone (there was an increase in 1891 also); so other causes than the bad year must also have been at work. Change of system seems urgently called for.”⁴⁷

H. G. Cooke, the Commissioner of Orissa, approved of the scheme of Stevenson, and it was sanctioned by the Government of Bengal. A special police-station was constituted for Cuttack town in 1894.⁴⁸

Introduction of the Patrol System in Towns

For the improvement of the town police, a new patrol system known as the “Bengal Town Police System” was introduced in Cuttack in October 1896. Two years later the system was introduced in the towns of Puri and Balasore. The patrol parties rendered useful services in detecting a number of burglars and thieves every month.⁴⁹ The system necessitated the increase of the strength of the town police. At the end of 1904, there were seven Head-chaukidars, and 90 town chaukidars in Cuttack; two Head-Constables, four constables, four Dafadars and 26 town chaukidars in Balasore; and one Inspector, two Sub-Inspectors, six Head-Constables and 81 constables in Puri.⁵⁰

Employment of the Detective Staff

During 1898, the experiment was made of selecting picked men from the ranks of Constables and Chaukidars, exempting them from ordinary duties and using them as detectives in the town of Cuttack. Their work was to give reports in secret. They did very good work in the way of detecting certain cases

47. *Vide RAO*, 1892-93, p. 16.

48. *Ibid.* 1893-94, para. 45.

49. *Ibid.* 1898-99, para. 84.

50. *Ibid.* 1899-1900, para. 70.

of theft. In 1899 they helped in capturing a gang of Muzaffarpur sowars and two absconders and in arresting with stolen property an offender who had been lost sight of for eight months. These results, the Magistrate of Cuttack said, could not have been brought about by ordinary methods.⁵¹ After further trial, the Magistrate of Cuttack reported in 1900 that the small detective staff of one Constable and five Chaukidars employed in Cuttack did good work. The experiment was, therefore, allowed to continue.⁵²

Railway Police

The Railway police was a new institution in Orissa. The Cuttack-Calcutta extension of the Bengal-Nagpur Railway which passed through three districts of Orissa, was opened during 1896-1899. The latter had a branch line to Puri, which was opened for traffic on 1 February, 1897.⁵³ To protect the life and property of the passengers, the railway police was created in 1896.⁵⁴ In 1905, the strength of the Railway police was 5 Constables, 1 Head-Constable in Cuttack, 5 Constables, 2 Head-Constables in Balasore and 17 Constables, 2 Head-Constables and 1 Sub-Inspector in Puri where the vast gatherings of pilgrims had to be dealt with.⁵⁵

Organisation of Police Reserve

Towards the close of the 19th century, it appeared impossible to improve the existing state of things without the maintenance of a special reserve.⁵⁶ The circumstances had then changed completely. With the rise of various political

51. RAO, 1898-99, para. 84

52. *Ibid*, 1899-1900, para. 70.

53. Quinquennial Administration Report, Orissa, 1900-01 to 1904-05, para. 160.

54. RAO, 1897-98, p. 24.

55. Quinquennial Administration Report, Orissa, 1900-01 to 1904-05, para. 81.

56. BJP (Police), November 1892, No. 128, Commissioner of Orissa to Government of Bengal, No. 11 P.T., 21 May 1888.

associations and social bodies, the riots and disturbances had become common in many parts of India.⁵⁷

In March 1889, the Government of Bengal received an order from the Government of India that "a reserve should be maintained if possible in every district, but at all events at convenient centres, sufficient to put down all riots and local disturbances, and ready for or capable of being concentrated for extraordinary emergencies."⁵⁸ The Police Committee of 1890-91 also proposed that there should be a "special reserve" at each district headquarters sufficient enough to put down all riots and local disturbances.⁵⁹ The necessity of a District Police reserve at all the district headquarters of the province was explained in the Report of the Police Redistribution Committee.⁶⁰

During the year 1893, orders were passed for the appointment of armed District Police Reserves in accordance with the recommendations of the Committee. In the first instance sanction was limited to the districts of Patna and Bhagalpur Divisions, but it was subsequently extended to all the districts of Bengal.⁶¹ In 1896, at the district headquarters of Balasore and Puri, a force of about 25 men and in Cuttack, a central district, a force numbering 50 men were created to be kept available for dealing with organised disturbances. The rules required that these bodies of men should be kept together and alert as to be available for the purpose for which they were created.⁶²

Reorganisation of the Rural Police

The rural police in Orissa contained two classes, namely, the Paiks with Sardar Paiks or Khandaita and the village

57. *Vide RCP*, 1890 Resolution of the Lieutenant-Governor of Bengal, No. 4298 J, 28 November 1891.

58. BJP (Police), August 1893, No. 4, Government of Bengal to all Commissioners, No. 182, J.D., 27 June 1897.

59. W. R. Gourlay, *A Contribution towards History of the police in Bengal*, p. 87.

60. RAB, 1894-95, pp. 6-7.

61. *Ibid.*

62. Henry, Inspector-General of Police, Report on the Administration of the Police of the Lower Provinces, Bengal Presidency, 1896, para. 24.

watchmen or Chaukidars. The *Paiks*, *khandait*s and chaukidars were remunerated by the grant of lands called *jagirs* from the time of the Marathas. Under the British, the duties of the *paiks* were distinct from those of the chaukidars. The *paiks* and *khandait*s were not required to perform regular police work. They were employed only in miscellaneous duties, such as patrolling the roads, holding the road outposts and acting as messengers or escorts.⁶³ The chaukidars were to perform police duties which included, reporting crime, giving information, taking precautionary measures, and rendering assistance in the investigation of crimes.⁶⁴

After the transfer of powers to the Crown, reforms were introduced in every branch of administration. It was felt that while the regular police had received a new life, the village police, the humble basis on which the admirable superstructure of the new system rested, had remained unchanged and unimproved.⁶⁵ There were constant complaints about the lawlessness of that body of men, and their utter inability to respond to the demands made upon them by the magistrates and the regular police under the new and vigorous system recently introduced. This was the condition of rural police throughout Bengal. The question of reorganising the village police, therefore, engaged the attention of the British authorities. Eventually, the Act VI (B.C.) of 1870 was passed with the object of putting the "village watch" on a modern legal footing.⁶⁶

The following were the main features of the Act. The Act vested the management of a village (or more than 60 houses) or a group of villages in a committee or Panchayat consisting of 3 to 5 resident villagers, to be selected by the Magistrate. This *panchayat* was to decide the number of chaukidars required, subject to the limitation that there should be two men

63. BJP (Police), September 1897, No. 10, Resolution of the Lieutenant-Governor of Bengal, No. 866 J, 9 February 1897.

64. *Ibid.*, November 1892, No. 154, District Judge of Cuttack to Government of Bengal, No. 420, 13 August 1890.

65. RCP, 1890, para 2.

66. C. E. Buckland, *Bengal under the Lieutenant-Governors*, Vol. II, p. 472.

to 150 houses, and one for every 100 houses more. The *panchayat* was also to determine the chaukidar's rate of pay, to assess it on the villagers, to collect it and to pay it to the chaukidars. The pay was to be not less than Rs. 3 and not more than Rs. 6 a month. The assessment was to be made according to the circumstances and the property to be protected, of the persons liable to the tax, the maximum rate being fixed at one rupee per month. The Magistrate might call for and revise the assessment roll, but there was no regular appeal from the *panchayat's* action. The *panchayat* was to appoint the chaukidar, but the sanction of the Magistrate was necessary to his dismissal. In case of the *panchayat* neglecting to appoint a chaukidar, the Magistrate might do so. He might also take action in case the *panchayat* neglected any of their duties.

The duties of chaukidars were fully defined. They were to give information to the police of all suspicious deaths, of certain specified offences and of disputes likely to lead to affrays; to report the movements of the bad and suspicious characters; to arrest the proclaimed offenders and persons in the act of committing offences; to attend at the police station at stated time; and generally to do whatever they were asked to do by the *panchayats*. They were to be paid on a monthly basis.

For the *jagir* lands, a procedure was provided by which they were resumed, and settled with the Zamindar at half the annual value of the land. Such assessment was to be made by the *panchayat* and to constitute a permanent yearly charge on the land payable to the *panchayat*. Payment was to be enforced by sale of the land by the Collector, the purchaser to be liable for future payment. On the land being resumed, any right of personal service which the Zamindar might have had from the occupier of the land, would cease.⁶⁷

It was said: "The objects of the Act were briefly to introduce into rural villages 'a sort of local Self-Government' in criminal matters, to make uniform rules for appointing and

paying chaukidars and to make them independent of the influence of the Zamindars.”⁶⁸

When the Act VI (B.C.) of 1870 was passed, the Commissioner (T. E. Ravenshaw) was supported by the Magistrates of the three districts (Beames of Balasore, Macpherson of Cuttack and Geddes of Puri), and by several other native associations (Utkal Olasini Sabha, Cuttack Debating Club) and leading native gentlemen in objecting very strongly to its introduction.⁶⁹

The system of paying the chaukidars by rent-free land was almost universal throughout the province. It was an ancient, well understood, and popular system. Those who opposed the introduction of this Act, pointed out that the method of resumption of these *jagirs* provided in part II of the Act was rendered inapplicable to Orissa by the definition of “chaukidari chakran land” in Section 1 as “lands assigned otherwise than under a temporary settlement.” The whole of Orissa with some trifling exceptions, was under temporary settlement. This view was confirmed by Rivers Thompson, the author of the Act, then Secretary to Government. He explained that the above-mentioned words were inserted in Section 1 with a special view to excluding the Orissa *chakran jagirs*.⁷⁰

In addition to this argument, the Act was considered unsuited to Orissa for the following reasons.

There did not exist in the villages of Orissa a class of men of respectability and intelligence, capable of appreciating or performing the dues of a *panchayat*.

The Oriya *ryots* in general were poorer than Bengali *ryots*. To pay a rate required by the law, say 12 annas a year for maintaining chaukidars, would be a real and intolerable hardship to them. The Zamindars being mostly non-residents would escape payment altogether. The poor cultivators hitherto contributed their quota towards the maintenance of the village

68. BJP (Police), December 1870, No. 2, Secretary, Utkal Olasini Sabha to Commissioner of Orissa, 15 November 1870.

69. *Ibid.*, No. 1, Commissioner of Orissa to Government of Bengal, No. 835, 5 November 1870.

70. RCP, 1890. p. 35.

police in kind. The substitution of money payment would be felt as a great hardship and create discontent.⁷¹

The villages were small and scattered. The 60-house limit prescribed under Section 3 would prevent the introduction of the Act into most of them, while 80-house and one-mile limit would prevent the formation of *panchayat* unions.⁷²

Large tracts in Orissa were frequently subjected to the devastations of inundations. In these the Zamindars found difficulty in realising their rents. Therefore, the regular collection of the chaukidari tax would be impossible.⁷³

The officers and the respectable Oriyas were unanimously of opinion that "with forced members of *panchayats*, forced assessments, forced responsibilities and a body of chaukidars who will prefer the present security of their land to the proposed mode of payment," the objectives of the Act VI of 1870 would never be met with success.⁷⁴ The success of such a measure must depend on the willingness with which the village communities would adopt themselves to its provisions. The proposals although applicable to the greater part of Bengal, it was said, would not be in any way welcome in Orissa.⁷⁵ The introduction of the Act thus was dropped.⁷⁶

It was revived again in 1875, on the question of how chaukidars whose *jagirs* had been lost by inundation, were to be provided for.⁷⁷ On this occasion, Government, while not insisting on introducing the Act, expressed views in favour of cash payments, in the following passage:

"As a question of general policy, the Lieutenant-Governor does not desire to enter upon any course of action which might

71. RCP, 1890, p. 35.

72. BJP (Police), December 1870, No. 2, Secretary, Utkal Olasini Society to Commissioner of Orissa, 15 November 1870.

73. *Ibid.*, September 1897, Commissioner of Orissa to Government of Bengal, No. 3091, 30 April 1896.

74. *Ibid.*, December 1870, Commissioner of Orissa to Government of Bengal, No. 336, 27 September 1869.

75. RCP, 1890, para. 64.

76. *Ibid.*

tend to perpetuate this system of *jagirs*. The Government of India pronounced against it in Orissa as long as 1841, and though the orders were not carried out, and though the Collector of Cuttack may be right in saying that immediate and general enforcement of the orders would be an unpopular measure, still the Lieutenant-Governor thinks it advisable that their eventual enforcement should be kept steadily in view. It is a recognised principle in Bengal that the duty of maintaining the chaukidar should devolve upon the villagers whom he protects; and the Lieutenant-Governor would be unwilling to sanction, in Orissa an arrangement which permanently recognises any other mode of paying him.””

The system of payment by service lands was repeatedly condemned by officers serving in Orissa. To it was mainly ascribed the inefficient state of the village police. The chief objections to it were:

From a practical point of view, when a chaukidar was remunerated by a grant of land, he was apt to spend his time in looking after his land and to neglect the duties of watch and ward for which his services were engaged.

In many instances, the amount of land was too small to render the chaukidar independent of the Zamindar and the villagers. In order to propitiate the Zamindar and the villagers to procure land and fees, he was not free at all times to give the fullest assistance to the authorities.

The supervision over the *jagirs* gave great trouble, as the chaukidar was sometimes ousted by the Zamindar or some other person, or the *jagir* was sold or mortgaged.

The difficulty was experienced in punishing a chaukidar who was paid by land, for misconduct. Moreover, it was urged that so long as chaukidari *jagirs* were maintained, the objectionable *khandait* and *paik jagirs* could not be got rid of.”

77. Government of Bengal to Board of Revenue, No. 3388, 28 December 1876.

78. BJP (Police), September 1897, No. 10, Resolution of the Lieutenant-Governor, No. 866J, 9 February 1897.

The result of the enquiry by the District Magistrates in 1887 revealed a miserable condition of the chaukidars. They attributed it to the payment by *jagir* lands. There were frequent complaints of insufficient remuneration on the part of chaukidars. There were many chaukidars whose *jagir* lands had been washed away and deteriorated by deposit of sand and they had little to subsist upon. There were many instances of men without land at all, which they lost for different causes. Certain perquisites which the chaukidars once enjoyed were being gradually discontinued to them, such as a certain number of bundles of produce and fees on occasion of marriages. There was no legal means of enforcing the payment. There were also inequalities in payments. While some men were overpaid and had a large extent of land for the watch of small villages, others again had little land for the ward of large villages. A large number of chaukidars were, therefore, driven to hold land as *ryots*, and by doing so became entirely dependent on the Zamindar and reported or concealed crime as they were directed by him or his agent. In many instances they worked as labourers and were not efficient in the discharge of their duties.⁷⁹

Most of the officers serving in Orissa felt that it was urgent to improve the existing state of things. At the same time they deprecated the introduction of the Act VI (B.C.) of 1870. The Government of Bengal was fully convinced as to the necessity for a change of the system for the better.⁸⁰

A step to improve the condition of chaukidars was taken in September 1892 when the orders were issued prohibiting the employment of chaukidars by the police on any private business or requiring them to perform any duties of a menial nature. The Magistrate of Cuttack said: "It is useless trying to improve his (the chaukidar's) status by relieving him of the so-called menial duties so long as we leave him to beg his livelihood, which is what it practically comes to."⁸¹

79. BJP (Police), July 1887, Commissioner of Orissa to Government of Bengal, No. 191, 15 March 1887.

80. RAO, 1891-92, para. 28.

81. *Ibid*, 1892-93, para. 42.

In order to reorganise the chaukidari system, various schemes were laid before the Government. The object of every scheme was to formulate a system which would substitute for that of the payment by service lands while avoiding at the same time the disadvantages of the introduction of the Act VI (B.C.) of 1870.⁸²

Metcalfe, the Commissioner of Orissa, suggested that the system introduced into the Khurda Government Estate in Puri on the conclusion of the last settlement of the estate, might be extended to the whole province.⁸³

The Khurda estate comprising about half the Puri district, was the property of Government and was settled in 1880. The settlement officer reported the tenacity with which the chaukidars clung to their *jagirs*, preferring a small plot of land worth almost Rs. 5 a year to a payment of Rs. 36 in cash. The Government, however, decided that the system of payments by lands must be given up, and eventually a scheme was evolved, known as the, "Khurda system".⁸⁴

Under the system, an amount of ten pies for every rupee of rent was added to each *ryot's jumma* and paid by him together with his rent. The whole cess was separately credited to a district chaukidari fund, from which the chaukidars were paid on bills drawn by the District Superintendent.

The introduction of this system in Orissa was objected to. In Khurda, the Government being the Zamindar, had full liberty of action. But it was impossible to say how the other Zamindars of Orissa would view such a cess. It was also difficult to ensure its punctual payment along with land revenue. It would lead in fact to a repetition of the road cess difficulty which had given so much trouble in most districts. After considering Metcalfe's proposals, Lieutenant-Governor, Sir Steuart Bayley decided to take no action at the time.⁸⁵

82. BJP (Police), September 1897, No. 10, Resolution of the Lieutenant-Governor of Bengal, No. 866J, 9 February 1897.

83. *Ibid*, July 1887, Commissioner of Orissa to Government of Bengal, No. 191, 15 March 1887.

84. *Ibid*.

85. BJP (Police), September 1897, No. 10, Resolution of the Lieutenant-Governor of Bengal, No. 866J, 9 February 1897.

In 1887, a proposal was made to pass a separate Act for Orissa. The scheme was to exclude all villages in which the *jagir* was sufficient for the maintenance of the chaukidars. For the rest, an assessment was to be made on the *ryots* at the rate of so many pies in the rupee. The assessed amount was to be collected by a Tehsildar who was to be paid by a percentage on collections as his remuneration. The collections were to be paid into the Magistrate's office and disbursed quarterly to the chaukidars. This was evidently a modification of the Khurda system. The proposal was sent to the Commissioner for an expression of his opinion and that of the local officers towards the later part of 1887. They held that the scheme could not apply to the permanently settled estates. There were thus to be two systems at work side by side which might prove inconvenient.⁸⁶

The Police Committee of 1890 advocated an urgent reform in the chaukidari system of Orissa. As a possible remedy, a combination of the *jagir* system with the Act VI (B.C.) of 1870 was suggested by the Police Committee. Under this system, the chaukidars would be left in possession of their lands, but uncontrolled under the principles of the Act. This would, however, perpetuate the *jagirs*, which it was most desirable to abolish.⁸⁷

For the same reason, the consolidation and redistribution of the *jagirs* so as to give each chaukidar four acres, which occurred to the Government in 1894 as a possible solution of the case, was rejected. The scheme was in fact impracticable as the lands were so unequally distributed throughout the province that no allotment of them in the manner suggested could be made.⁸⁸

The Government at the same time invited the Commissioner's opinion on a scheme for adding a cess to the land revenue demand of the settlement then proceeding, for the

86. RCP, 1890, para. 71.

87. *Ibid*, para. 73.

88. Government of Bengal to Commissioner of Orissa, No. 1561J, 13 March 1894.

maintenance of both chaukidars and *patwaris*, on the principle followed in the North-Western provinces. The land revenue, it was said, might be raised by 15 per cent, and 9 per cent of the amount so received, appropriated for the pay of the chaukidars. The scheme was, however, open to the strong objections of largely increasing the percentage of the assets taken by Government under the present settlement and imposing a heavy burden on the Zamindars. There was the further objection that under the scheme, the whole cost of keeping up the chaukidari system would have been imposed upon the temporarily settled estates, the permanently settled estates which covered one-fourth of the area of Orissa, being free from all liability. In view of such objections, the scheme was abandoned by Sir Charles Elliott.⁸⁹

The next proposal was submitted by R. C. Dutta, the Commissioner of Orissa, in 1897. To quote his words, "All *jagir* lands should be resumed, land revenue should be assessed so as to allow of an adequate sum being allotted for the maintenance of the chaukidars, and the chaukidars should receive their pay from us direct and be entirely under our control." R. C. Dutta calculated that an addition of 5 per cent to the land revenue demand of the new settlement would give the sum required. This was obviously substantially the same scheme as the last, and was open to the same objections. It was pointed out that both schemes would also involve the sacrifice by the Government of part of the rents of the *paik jagirs*, which were not granted for the maintenance of the village watch.⁹⁰

In March 1894, the Government of Bengal suggested for the consideration of the local officers that a separate chaukidari cess might be levied in the same manner as the Road and Public Works cesses were. H. G. Cooke, the Commissioner of Orissa, objected to this on the ground that no contribution towards the cost of the chaukidars should be raised from the *ryots*. In

89. BJP (Police), September 1897, No. 10, Resolution of the Lieutenant-Governor of Bengal, No. 866T, 9 February 1897.

90. *Ibid.*, Commissioner of Orissa to Government of Bengal, No. 309I, 30 April 1896.

his opinion, the Zamindars and the state alone were liable for the maintenance of the chaukidars.

The view was controverted by G. Stevenson, the Magistrate of Cuttack. To him, the cost of maintenance of chaukidars should be realised from the *ryots*. He advanced three reasons to support his view. First, the *ryots* had always been under obligation to pay certain customary dues, known generally as "holabira", to the chaukidar. Secondly, they were required to pay a cess in Khurda in consideration of this fact. Thirdly, there were actually 1,206 chaukidars in the province without *jagirs* who must be maintained by the people. G. Stevenson thus saw no objection to a special cess.

But this proposal differed from that referred to the Commissioner by the Government in 1894. Under that proposal, a cess would be levied on *ryots'* rents, including the estimated rents of rent-free tenures and Zamindars' private lands at the rate of 2 pies on the rupee. This cess would be collected through the Zamindars, the Public Demands Recovery Act being used for the recovery of the arrears.

The proposal did not however, commend itself to the Lieutenant-Governor, Sir Alexander Mackenzie. The cess would exempt non-agriculturists and landlords who did not cultivate private lands from contribution to the cost of the chaukidari system. Its collection by the Zamindars would be attended by abuses, while an immense number of certificates might be required for the recovery of arrears. It could not be introduced without legislation, and to such legislation the strongest opposition was likely to be offered.

G. Stevenson, moreover, proposed to restrict the cess to temporarily settled estates and to apply in those permanently settled, Act VI (B.C.) of 1870 with modifications. The Lieutenant-Governor pointed out that this would necessitate further legislation, the effect of which would be to establish two different systems for the temporarily and the permanently settled tracts respectively. To avoid any legislation and inconvenience

caused by the prevalence of two systems, the scheme was dropped.⁹¹

The Government of Bengal was thus unable to accept any of the above suggestions for the modification of the chaukidari system, all of which deprecated recourse to the provisions of Act VI (B.C.) of 1870. Sir Alexander Mackenzie said: "It has, therefore, to be considered whether the objections which have been urged against the introduction of that Act were of such force that the Government should reject that measure also and permit the present unsatisfactory state of things to continue."⁹² After due consideration, the Government arrived at the conclusion that nothing obstructed the extension of Act VI (B.C.) of 1870 to Orissa. They expressed their opinions as follows:

The village watchmen were originally known as "dandas", and were included among the villagers' servants. They were assigned lands by the state and not by the Zamindars, as the proprietary right in the soil was not allowed to any class under the Maratha Government. They were not mentioned in the Regulation XII of 1905. They came eventually under Regulation XX of 1817, which was passed for the provinces of Bengal generally. It did not protect the service lands from resumption. Therefore, there could be no question as to the power of the Government to resume the lands in the temporarily settled estates. The resumption could be made under Act VI (B.C.) of 1870, if it was extended.

As mentioned above, the chaukidari *jagirs* were state grants. They were excluded in the temporarily settled estates from the settlements made with the Zamindars while in the permanently settled estates they could not be legally interfered with by the Zamindars. The latter had thus in both classes of estates, no connection with the *jagir* lands. Therefore, the Government was under no obligation to furnish land or otherwise specially provide for the maintenance of the chaukidars.

91. BJP (Police), September 1897, No. 10, Resolution of the Lieutenant-Governor of Bengal, No. 866J, 9 February 1897.

92. *Ibid.*

Its liability was to contribute to any funds raised in the same manner as other residents of the villages.*

It was also not binding on the Government to continue the *jagir* lands for all times. Over the temporarily-settled parts of Orissa, they were liable to revision or resumption on any re-settlement as they were not protected from resumption by any Act. In the permanently settled tracts, they might be resumed under Act VI (B.C.) of 1870, if the Government thought fit at any time to extend that Act. It thus rested with the Government to decide whether the resumption should be made, when the administrative necessity was shown to exist for a change of chaukidari establishment.

It was further held that on resumption the charge for the chaukidari establishment should be borne by the people generally. As G. Stevenson had shown, the people of Orissa had, in fact, never been wholly exempted from liability for the maintenance of the chaukidars. They had generally paid certain customary dues to their chaukidars and in some places had entirely supported them. Their position in this respect was in no way different from that of the people elsewhere in Bengal, who, even where service lands existed, always contributed to the maintenance of their village police. Moreover, as far back as 1876 it was the recognised principle in Bengal that the duty of maintaining the chaukidars should devolve upon the villagers whom they protected. For this reason, the Government had been expressing unwillingness to sanction an arrangement which permanently recognised any other mode of paying them.*

Besides, it was urged that the objections which were said to stand in the way of the introduction of the Act, could be easily avoided.

As already mentioned, the most important objection was the definition of "chaukidari chakran lands" in Section 1 of

93. *BJP (Police)*, September 1897, No. 10, Resolution of the Lieutenant-Governor of Bengal, No. 866J, 9 February 1897.

94. *Ibid.*

the Act, which described such lands as those which were assigned otherwise than under a temporary settlement. This definition precluded the resumption of the Orissa *chakran* lands in the temporary settled estates under part 11 of the Act. This difficulty, said the Lieutenant-Governor, could be met by the resumption of the lands in the course of the present settlement before the introduction of the Act. The *chakran* lands would then have ceased to exist on the introduction of the Act. The resumption of the *chakran* lands in the permanently settled estates could be made under part 11 of the Act. This was what the Act permitted.

As regards the difficulty of finding suitable men for the *panchayats*, the district officers were of opinion that there were many villages in which some men were not to be found possessing rudiments of education. G. Stevenson, the Commissioner of Orissa, whose experience of Orissa extended over many years, recommended the introduction of the Act. He pointed out how difficulties could be met by the following provisions of the Act. The second provision in Section 3 authorised the appointment of one man only as the *panchayat*. Section 4, as amended by Section 5 of Act I (B.C.) of 1892 enabled the Magistrate to constitute any area a "village" and Section 62 empowered the Magistrate to exercise the powers of *panchayats* when, after notice, they refused or neglected to exercise them. The definition of "village" for the purposes of the Act, admitted of the formation of the *panchayatic* circles of several ordinary villages. With the adoption of these particularised provisions, he said that the difficulty of obtaining men competent for the work of *panchayats*, would be greatly reduced. The Lieutenant-Governor accepted his view. He did not admit that insuperable difficulties existed to the introduction of the Act.

Accordingly, Sir Alexander Mackenzie, after full consideration, declared that the Act should be introduced as the best means of placing the village police on an efficient footing and the existing special system should be abandoned everywhere. He said that there were no doubt drawbacks, but there

were greater drawbacks to special legislation and to all the other proposals which had been made."⁹⁵

The following orders were accordingly passed:

The Act would be introduced throughout Orissa as soon as possible after the completion of the present settlement. The chaukidari *jagirs* would be, in the meantime, resumed and settled with the chaukidari holders, who would be treated in all respects as *thani ryots* of the village in which the land lay. They would be released from all obligation to serve as chaukidars but would be eligible for appointment as such by the Magistrate.

The lands would be incorporated with the lands of the estates within which they lay and be included in the settlement of those estates. An allowance of 15 per cent on the rent, for cost of collection, would be made to the Zamindar in each case.

The *jagirs* in the permanently settled estates, would be resumed under part II of the Act. The pay of chaukidars should not ordinarily exceed Rs. 4 per month.

The Act was to be introduced all over Orissa. But exception might be made in the case of thinly inhabited and backward tracts, where the formation of *panchayats* might be quite impracticable. In those tracts, the chaukidars would be under the direct supervision of the police. They should be given *jagir* lands, where such existed, and would in addition, continue to receive the customary dues from the *ryots*. For the realisation of these dues, they should be given such assistance as might be necessary and practicable. Regulation XX of 1817 would continue to apply to these chaukidars, until it became possible to work Act VI (B.C.) of 1870.⁹⁶

The case of *khandait*s and *paiks* were also considered. The *paiks* and their sardars or *khandait*s received their lands for their maintenance under the Maratha Government. These lands were continued to them after the British conquest of the pro-

95. BJP (Police), September 1897, No. 10, Resolution of the Lieutenant Governor of Bengal, No. 886J, 9 February 1897.

96. *Ibid.*

vince by Regulation XIII of 1805. The resumption was barred by Regulation XII of the same year.

There were no less than 374 *khandait*s and 989 *paiks* in the province, holding a total area of 16,376 mans or 17,740 acres of service lands. The Government could not compel the *khandait*s and *paiks* to agree to the resumption of their *jagirs* as their *jagirs* were protected by Section 5, Regulation XIII of 1805. But the Government had no objection to resumption, if they agreed, in consideration of the Government relinquishing the right to their services. They generally expressed their willingness to accept the settlement of their lands on that condition. The following orders were accordingly passed. Their *jagirs* would be resumed by amicable arrangements with the holders. The latter would receive the settlement and would be declared to be *ryots* holding lands at fixed rates of rent. They were to be assessed at half rents for their life time. The holdings would be included in the estates within which they lay, and would form a part of the assets in future.⁹⁷

In 1899, the land revenue settlement of the province of Orissa came to an end. On the completion of the settlement, Act VI (B.C.) of 1870 was introduced in all temporarily settled as well as permanently settled estates with effect from 1 June 1899.⁹⁸ In the settlement, 20,200 acres of chaukidari *jagirs* were resumed and settled for Rs. 43,000, exclusive of commission payable to Zamindars. 6,910 acres of the lands of the *khandait*s and *paiks* were resumed and settled at half rents for Rs. 5,090. The total rent of all the lands, therefore, amounted to Rs. 48,090, which was credited to the head of land revenue.⁹⁹

As regards the *paiks* and *khandait*s, G. Stevenson, Commissioner of Orissa, wrote to the Government of Bengal that from his experience of Orissa it was not necessary to retain

97. BJP (Police), September 1897, No. 10, Resolution of the Lieutenant-Governor of Bengal, No. 866J, 9 February 1897.

98. *Ibid*, July 1899, No. 64, Notification No. 514J-D, 25 May 1899.

99. *Ibid*, October 1900, No. 43, Government of Bengal to Government of India, No. 3071 J-D, 15 October 1900.

the services of *paiks*. Their work had never at any time been done satisfactorily. The police officers had practically no hold upon them. With the railway open, road patrolling was much less necessary than formerly. When it was so, as on occasions of great festivals, the police should be utilised for the purpose.¹⁰⁰ The Government accepted his view. The services of *paiks* and *khandait*s were dispensed with after the resumption of their *jagirs*.¹⁰¹

Introduction of the Dafadari System

The Government of Bengal found it necessary for the efficiency of rural police maintained under Act VI (B.C.) of 1870, to appoint Head or Sardar chaukidars, also called *Dafadars*, to supervise the chaukidars. They were the officers intermediate between the chaukidars and the regular police.¹⁰²

The class of *Dafadars* was already created in several other divisions of Bengal. The cost of their maintenance was imposed on the people in those parts. This caused no hardship to the villagers though this was an addition to the chaukidari tax per head. In Orissa, however, the chaukidari tax was new. The people were less prosperous than in Bengal. In view of these facts it was decided that the villagers should be relieved of the cost of the *Dafadars* and the entire expenses incurred for the maintenance of the *Dafadari* system would be borne by the Government.¹⁰³

The *Dafadars* began their work from 1 January 1900. One *Dafadar* was appointed to every 10 chaukidars. In 1905 there were 7,289 chaukidars and 708 *Dafadars* in Orissa. There was one chaukidar to every 571 inhabitants in Cuttack, 691 inhabitants in Balasore and 478 inhabitants in Puri. By 1905 Magis-

100. BJP (Police), July 1899, No. 61, Commissioner of Orissa to Government of Bengal, No. 338J, 26 April 1899.

101. *Ibid.*, No. 63, Government of Bengal to Commissioner of Orissa, No. 513J-D, 25 May 1899.

102. BJP (Police), September 1897, No. 11, Government of Bengal to Government of India, No. 1700J, 20 March 1897.

103. *Ibid.*, Government of Bengal to Government of India, No. 1700J, 20 March 1897.

trates of three districts, with the assistance of Sub-Divisional Officers and Deputy Magistrates, were commencing to introduce the grouping of *panchayati* unions, dafadari circles and beats. The Village Chaukidari Act worked smoothly.¹⁰⁴

Police Commission of 1902-03

The Government made a timid and partial attempt to introduce the recommendations of the Police Committee of 1890-91. Most of the recommendations with regard to the increase of the salaries of the subordinate police officers were not implemented to attract a better class of men into police service and to remove one very strong temptation to corruption. After 1891 it was the frequent complaint of the district officers that the officers with a few exceptions were wanting in energy and intelligence and did not enjoy the confidence of the people. The corruption, oppression and other malpractices remained as widespread as before. The number of police officers punished for misconduct and neglect of duty in 1900 was 96. But the average number of police officers punished between 1901 and 1905 was 142. These figures clearly indicate that the police administration was fast deteriorating.

The condition of police in Orissa was, of course, less deplorable than in the rest of Bengal. The reason was obvious. The Oriyas were generally a law-abiding people. The organised crime by professional criminals were almost unknown in the province. This had, hitherto, been confined to occasional robbery of pilgrims in the Jagannath Road and to an occasional dacoity.

From the year 1896, the country had been opened by the railways. It was feared that Orissa would never again be so immune from crime as it was in the days of peaceful isolation. The peace which it had hitherto enjoyed, might be disturbed by outside criminals.¹⁰⁵

104. Quinquennial Administration Report, Orissa, 1800-01 to 1904-05, paras. 74-76.

105. *Ibid*, paras 74-75.

Under these circumstances, the improvement of the police administration was considered imperative. Sir John Woodburn, the Lieutenant-Governor of Bengal, said, "The improvement of the police must, in the interest of the people and of good Government, take precedence of every other project in Bengal."¹⁰⁶

In 1903, the Indian Police Commission submitted its report. It was fortunate for Bengal that Sir Andrew Fraser, who had been President of the Police Commission, was, as Lieutenant-Governor, in a position to introduce the reforms which the Commission had recommended. The principal objects of the recommendations made by the Commission were (1) to improve the pay of the police so as to place them above pressing temptation to wrong-doing; (2) to secure better men, especially in the higher ranks of the service; (3) to strengthen and improve the supervising and controlling establishment.¹⁰⁷ Their recommendations were accepted in the main by the Viceroy, Lord Curzon. Lord Curzon said that the Government should follow "a policy that will raise the standard of the only emblem of authority that the majority of the people see, and will free them from petty diurnal tyranny and oppression."¹⁰⁸ To quote again from one of Lord Curzon's speeches, that ideal was to be attained by having a "police force, which is free from the temptation to corruption and iniquity, and which must, therefore be reasonably well-paid, which must be intelligent, orderly and efficient, and which will make its motto protection instead of oppression."¹⁰⁹

The recommendations of the Commission as regards the pay of the police were carried out without delay. The pay of the constable was increased to Rs. 8. This amount would

106. *Vide* The Administration of Bengal under Sir Andrew Fraser, p. 78.

107. Report of the Indian Police Commission, 1902-03, pp. 4-5.

108. *Vide* The Administration of Bengal under Sir Andrew Fraser, p. 79.

109. *Ibid.*

increase thrice at the rate of Re. 1 each time during the service period. There would be three grades of head constables drawing Rs. 15, Rs. 17-8 annas and Rs. 20. There would be five grades of Sub-Inspectors with their pay varying between Rs. 50 and Rs. 100. The Inspectors of three grades would receive pay from Rs. 150 to Rs. 200. The pay of some special Inspectors would be Rs. 250. The posts of Assistant Superintendents and Superintendents were reserved for the Europeans.¹¹⁰ However, it was hoped that the attainment of all the objectives of the recommendations of the police Commission would put the police administration of Orissa on efficient footing. It would be for the relief of the people and reputation of the Government.

110. *Utkal Dipika*, 25 March 1905, p. 136.

CHAPTER V

Judicial Administration

Civil Justice under the East India Company:

The administration of civil justice under the East India Company was satisfactory. Henry Ricketts, the Member of the Board of Revenue, who visited Orissa in 1853, was very pleased with the work of the civil courts in trying and disposing of cases. The suspicion and dislike with which the civil courts were viewed by the people during the early period of the Company's rule had gradually vanished.¹

At the time of the assumption of the Government by the Crown, the courts through which the civil justice was administered were as follows.

The Sadar Dewani Adalat constituted the Supreme Civil Court of appeal for cases tried in the district Civil Courts. It was located at Alipur in Calcutta. The Courts subordinate to the Sadar Dewani Adalat were the Civil Courts.² The head civil judicial officer in the province was the Civil Judge or District Judge, who had jurisdiction over the three districts of Orissa. His court was located at Cuttack. Subordinate to the Civil Judge, were the Principal *Sadar Amin*, and the *Munsif*, who are named in their order of rank. Each held a court of his own. There was a court of Principal *Sadar Amin*

1. Henry Ricketts, Report on the District of Cuttack, 8 December 1853.

Calcutta Review, Vol. XXXIV, January-June 1860, "The Law Courts of Bengal Presidency."

at Cuttack and a court of *Sadar Amin* at Balasore. There were five courts of *Munsifs* stationed at Cuttack, Balasore, Puri, Kendrapara and Dhamnagar. The Principal *Sadar Amin* had jurisdiction over the three districts of Orissa.³

With regard to law, the courts of Orissa were to be guided in their decisions: 1st, by the regulations of Government and acts of the Indian legislature, as applicable to the cases; 2nd, by Hindu, or Mohammedan law, as the case might be in all suits regarding succession, inheritance, marriage, caste, all religious usages and institutions; and 3rd, in cases in which no specific rule existed, the Judges were to act according to "justice, equity and good conscience."⁴

The Code of Civil Procedure, 1860

After the transfer of power to British Crown, like every branch of administration, the administration of civil justice was reorganised. It started in 1860 with the introduction of the Code of Civil Procedure of 1859.⁵ This code, which was modelled on the English Judicature Act, was a scientific and well arranged piece of legislation. Before the passing of the Civil Procedure Code of 1859, there was no codified law of procedure applicable to the Civil Courts. The essence of the Code was to be exhaustive in matters in which the Judge could not go outside the letter of the enactment.

A suit in which the right to property or to an office was contested, was a suit of civil nature. The Code of Civil Procedure gave courts jurisdiction to try all suits of civil nature excepting the suits of which their cognizance was either expressly or impliedly barred.⁶

Under this Code a great improvement was attained in the administration of justice. Legal plans and technicalities, which

3. Henry Ricketts, Report on the District of Cuttack, 8 December 1853.

4. Calcutta Review, Vol. XXXIV, January-June 1860, "Law Courts of Bengal Presidency."

5. RAB, 1859-60, p. 4.

6. B. V. Biswanatha Aiyar, *Code of Civil Procedure*, p. 2.

under the old system were used as instruments of delay, had been swept away. A disputed claim could be disposed upon the verbal statements of the parties concerned without a single written pleading being filed. Of course, as a matter of convenience, the parties to the suit almost invariably filed a written statement.⁷ The most general complaint under the judicial system of the company was that a frightful amount of perjury and of forgery was affecting the administration of justice in civil and criminal courts alike. The new procedure code attempted a remedy by making provisions for the verification of the pleading.⁸

Act X of 1859 and Rent Suits

Prior to the passing of the Act, the law on the subject of the relation between landlord and tenant was confused and imperfect. The Act X of 1859 provided a code of procedure for the trial of suits between landlords and tenants.⁹

Its object was to reform the whole of the existing system for the recovery of rents and the adjudication of questions connected therewith. Land-holders were empowered to enforce payment of their rents by distress of the property of defaulters and by preferring summary suits before the Collector. The Collector was also authorised to try summarily suits brought by under-tenants, to contest the demand of destainers, and suits for damages for illegal distress. *Ryots* were entitled to receive *pattas* for the lands cultivated by them and to have their rates of rent adjusted on certain defined principles. Penalties were prescribed for the exaction of any excess above the legal rate of rent or any unauthorised cess.¹⁰

The Act conferred a definite status, called occupancy right, on the cultivators who were in continuously cultivating

7. RAB, 1860-61, p. 21.

8. Calcutta Review, Vol XXXIV, January-June 1860, "Law Courts of Bengal Presidency."

9. C. E. Duckland, *Bengal under the Lieutenant-Governors*, Vol. I, p. 54.

10. *Ibid.*

possession for twelve years. Their rents should not be enhanced except on the following specified grounds. The rent actually paid was to be less than the prevailing rent. The ryots had more land than they paid the rent for. The productiveness of the land had been increased without their individual efforts. Those who had held their land for less than twelve years, remained in the position of tenants-at-will. They were liable to have their rents enhanced and to be ejected by the landlords for non-payment.¹¹

The Act gave jurisdiction in such cases to revenue officers, such as Collectors and certain Deputy Collectors. It was specially provided that no Deputy Collector should exercise judicial powers under the Act if entrusted with any police functions. The Collector's judgment was to be final if the amount sued for did not exceed Rs. 100. In all other suits an appeal to the District Judge was provided for. If the amount of value in dispute exceeded Rs. 5000, the appeal was to lie to the Sadar Diwani Adalat.¹²

The act was extended to Orissa in 1860 and the rent suits were thereafter tried in the Revenue Courts.¹³

The inquiries made by local officers in 1871 brought to notice numerous instances of high-handed oppression and oppressive exactions on the part of zamindars. The exaction of illegal cesses was a flagrant violation of the rent law of 1859. But the peasants in Orissa were in general poorer and more ignorant than the peasants of Bengal or Bihar. They were imperfectly acquainted with their rights and were but little disposed to claim the protection of the law.¹⁴ On the working of Act X of 1859, the Commissioner of Orissa wrote in 1873:

"As regards the working of the rent laws, the figures given in my review of the district returns will show that comparatively little resort the landlords had to Act X in the realisa-

11. L. S. S. O'Malley, *History of Bengal, Bihar and Orissa under British rule*, p. 721.

12. C. E. Buckland, *Bengal under the Lieutenant-Governors* Vol. I, p. 54

13. RAO, 1859-60, p. 46.

14. RAB, 1874-75, p. 12.

tion of rent. This by no means indicates satisfactory relations between landlord and tenant. In Orissa the tenant is generally yielding and ignorant, and eminently oppressible, totally unacquainted with his rights, and falls an easy prey to an unscrupulous landlord. old habit and custom, even if involving grinding oppression and wrong, has more force than all the laws; in fact the law has not penetrated below the upper crust of the more educated classes, and even there most imperfectly. Suits are singularly unfrequent. A *ryot* is ground down or ousted and seldom makes a struggle; or if he does, it takes the form of a criminal action for trespass or mischief at sowing time, or trespass and theft at harvest.¹⁵

The views of the Commissioner were corroborated by what the Collector of Cuttack had to observe:

"For all the effect it has had in most rural parts of Cuttack, Act X might as well never have been enacted, and so obstinate are all parties that even when they are informed of the provisions of the Act, they, as a rule, simply reply that such arrangements are opposed to their local customs."¹⁶

Though the Government of Bengal admitted that the circumstances of Orissa were in some respects exceptional, no special measures were taken to protect the tenants. It was said: "The rights and status of the *ryots* will gradually improve from two causes: first, the increase of savings and the accumulation of material means; second, the progress of primary education. They will grow in intelligence and a sense of independence, would thus perceive the rights reasonably pertaining to their position, and would then possess the resources for contesting any infringement of their rights."¹⁷

There was a slow but gradual movement towards independence on the part of the *ryots*. The levy of illegal cesses in addition to rent prevailed more or less throughout the period under review.

15. *Vide Land Revenue Report, 1872-73.* p. 20.

16. *Ibid,* para. 78.

17. RAB, 1874-75, p. 13.

Though the Act X of 1859 was called the charter of the *ryots* of Bengal, it did not benefit the *ryots* of Orissa. But it helped the Zamindar to recover the arrears of the rents and enhance the rents on the ground that they held lands for less than twelve years. The institution of suits for distress, ejectment and illegal exactions were very rare. But suits for arrears of revenue constituted the main portion of the rent suits.¹⁸

Experience had shown that the provisions of the Act were inadequate to accomplish the objects for which it was framed. To provide remedies for the abuses, some provisions of Bengal Tenancy Act were extended to Orissa in 1892.¹⁹ The great measure was based on three guiding principles, viz., (1) to give the *ryot* fixity of tenure. (2) to enable the landlord to obtain a fair share of the increased value of the produce of the soil, in other words, a reasonable increase of rents; and (3) to provide for the settlement of disputes between landlords and tenants on equitable principles.²⁰

It was reported that its object was frustrated in many instances by the attempts of the powerful Zamindars to obtain illegal enhancements of rents in and out of courts, to levy *abwabs* abolished by law and to violate rights of the tenants in other ways.²¹ The Board of Revenue noted: "In Orissa, the tenants through poverty and ignorance do not prefer objections and bring suits under Section 75 of the Bengal Tenancy Act. The tenants are, however, gradually realizing their position and awakening to a sense of their rights and privileges."²²

Establishment of the High Court at Calcutta

On 6 August, 1861, a statute was passed empowering the Crown to establish by Letter Patent, a High Court at Calcutta.

18. RAO, 1872-73, p. 21.

19. RAB, 1892-93, p. 49.

20. *Ibid*, 1901-1902, pp. 102-104.

21. Land Revenue Report, 1904-1905, Resolution No. 3726,
28 December 1905,

22. *Ibid*,

The Company's appellate courts, the Sadar Diwani Adalat for criminal justice and Sadar Nizamat Adalat for civil justice were at the same time abolished. The High Court exercised the appellate powers of the abolished courts over all other courts, civil and criminal, in the province. The Calcutta High Court commenced to sit on 1 July, 1862. Sir Barnes Peacock was the first Chief Justice of the High Court. The first Indian judge to sit on the High Court was Sambhu Nath Pandit.²³

Small Cause Courts

An important step in the administration of civil justice was taken when a Small Cause Court upon the English system was established at Cuttack under Act XLII of 1860, on 10 July 1862.²⁴ Before the passing of the Act XLII of 1860, the Munsif's Court was the only one available for suits of the description provided for by that Act. In all cases of bond debts, loans, personal property and damages even if the amount involved was small, the appeal could be taken from the Munsif's decision through various grades of supervision, to the Sadar Diwani Adalat. At last the decree of the Sadar Diwani Adalat was attained at a cost of time, trouble and expense, in comparison with which the sum originally in dispute was often ludicrous. To remedy this state of things, Act XLII of 1860 was passed for the creation of Small Cause Courts.²⁵

The following suits were cognizable by Courts of Small Cause:

"Claims for money due on bond or other contract, or for rent or for personal property or for damages when the debt, damage or demand does not exceed in amount or value the sum of Rs. 500. No action shall lie in any such court: (1) on a balance of partnership account unless the balance shall have been struck by the parties or their agents; (2) for a share or part of a share under an intestacy, or for a legacy or part of

23. L. S. S. O'Malley, *History of Bengal, Bihar and Orissa under British rule*, p. 430.

24. RAB, 1862-63, p. 7.

25. Calcutta Review, No. XCIX 1870, "Courts of Small Causes in Bengal."

a legacy under a will; (3) for the recovery of damages on account of an alleged personal injury, unless actual pecuniary damage shall have resulted from the injury; (4) for any claim for the rent of land or other claim for which a suit may be brought before a revenue officer.”²⁶

There was no appeal from the order of a Small Cause Court. Whenever a Small Cause Court existed, no suit cognizable was triable by any other court within the same limits. The courts were empowered to refer to the High Court points arising in the trial or in execution of any case before them, and the case must be decided conformably with the High Court’s decision.²⁷

This system of courts secured for the people certain advantages which were anticipated. At the same time it put them to a great disadvantage. There was no appeal from the decision of Small Cause Court. The justice in this court, therefore, depended on the calibre and ability of the Judges. It was remarked: “If the Judges be not properly trained in law, what want of uniformity will prevail, what injustice will be penetrated, and when there is no appeal without a remedy.” The system of Small Cause Court proved to be a source of discontent to the people.²⁸

Pay and Position of Uncovenanted Judges

The question of reorganisation of the Subordinate Judicial Service was taken up in 1867. The expediency of revising the salaries of the uncovenanted Judges, and readjusting them on a scale more in accordance with the importance and responsibility of their duties, had been fully admitted on several previous occasions. Sir John Peter Grant, the Lieutenant-Governor, believed that reform was essential to raise the character and standard of the Judicial Service by recruiting its ranks from a higher stratum of Indian Society.²⁹

26. RAB, 1882-83, p. 67.

27. *Ibid*, 1865-66, pp. 6-10.

28. Calcutta Review, Vol. XLIII, 1866, “Courts of Small Causes.”

29. RAB, 1862-63, p. 6.

The Secretary of State for India sanctioned a general increase of pay of the uncovenanted Judges with effect from 1 January, 1867. The salary of *Principal Sadar Amin* and *Sadar Amin* was fixed at Rs. 600 and Rs. 400 respectively. The salary of two grades of Munsifs was fixed at Rs. 300 and Rs. 250.³⁰

Up to the close of 1867, the uncovenanted civil Judges were of four classes, viz., (1) Small Cause Court Judges, (2) *Principal Sadar Amins*, (3) *Sadar Amins* and (4) *Munsifs*. This arrangement was altered on the passing of Act XVI of 1868. The Act abolished the office of *Sadar Amin*. The native designation, i.e., *Principal Sadar Amin* was substituted by the more intelligible designation of Subordinate Judge.³¹

Act XVI of 1868 improved further the position of uncovenanted civil Judges. It empowered the Government to invest the *Munsifs* with all powers of Judges of Small Cause Courts up to the amount of Rs. 50. A notification issued by Government on 20 February 1871, conferred on the several *Munsifs* of Bengal, including the *Munsifs* of Balasore and Puri, such powers.³²

The Court of Subordinate Judge at Balasore

In 1872, in a petition addressed to the Collector of Balasore, the merchants of Balasore complained bitterly that the Court of a Subordinate Judge should be established at Balasore. They advanced the following reasons in support of their demand. Balasore was a town of 18,000 inhabitants. They carried on a trade of 10 or 11 lakhs of rupees per annum. Some of them were men of wealth and were assessed to income tax at Rs. 30,000 or Rs. 25,000 per annum. They had large transactions with Calcutta, Madras and other places. But they had no Court of Subordinate Judge nearer than Cuttack, 106 miles off.³³ They had only one Munsif's Court for civil suits.

30. *Ibid*, 1867-68, p. 24.

31. RAB, 1867-68, p. 24.

32. *Ibid*, 1870-71, p. 121.

33. RAO, 1872-73.

Besides, it was pointed out that the knowledge of this want of competent tribunals, while it discouraged honest men, emboldened rogues. The number of decrees gained on forged and fraudulent deeds increased consequently. When a man had been complained against in the criminal court and punished, he frequently took his revenge by bringing a suit against his adversary on a forged document and thus ruining him.³⁴

The Collector of Balasore had no doubt that a higher tribunal such as a court of Subordinate Judge was an urgent necessity to entertain cases of larger amounts than those instittutable at Balasore. He recommended for it to the higher authorities. The Government of Bengal approved of it.³⁵

A subordinate Judgeship was established at Balasore in 1875 as an experimental measure for one year. At the close of the year, it was abolished. During that period the number of heavy suits beyond the cognizance of a *Munsif* was not of a sufficient number to warrant the retention of so costly an office.³⁶

In order to reduce the works of the *Munsif* of Balasore, the southern portion of Balasore was transferred to the jurisdiction of the *Munsif* of Jaipur in 1876.³⁷ This arrangement operated as a great hardship to the Zamindars of that area. Their interest lay in the opposite direction. For them, it was convenient to lay their cases in Balasore. This change worked badly in another way. While the *Munsif* of Jajpur was overwhelmed with work, his brother officer of Balasore had few files.³⁸

The issue of the appointment of a Subordinate Judge in Balasore did not lapse. It was revived again in 1878. In a petition presented to the Commissioner of Orissa, the people of North Balasore explained the necessity of such a court. They pointed out that this would save them from great in-

34. *Ibid.*

35. *Ibid.*

36. RAO, 1875-76.

37. *Ibid.*

38. *Ibid.*, 1876-77, para 64.

convenience and suffering as District Judge and Subordinate Judge were stationed at Cuttack, a distance of 106 miles from the town of Balasore and much further from the northern part of the district.³⁹

Some residents, north of the Subarnarekha river, presented a petition to the District Judge of Midnapur to allow them to file civil suits in the Civil Courts of his district.⁴⁰ Subsequently the District Judge of Midnapur submitted a proposition for the consideration of the Government to transfer a part of the Balasore district to Midnapur as regards civil jurisdiction.⁴¹

A. Smith, the Commissioner of Orissa, considered the grievances of the people of North Balasore as genuine, and recommended for a Subordinate Judge in 1881. Again in 1882 he wrote: "Feeling as I do strongly that it is unfair to the people of Balasore, more especially to those residing in the northern parts of that district to compel them to come to Cuttack to prosecute or defend heavy civil suits, I venture to repeat the recommendation I made in my letter above quoted."⁴² He further pointed out that there had been great changes since the time when the experiment was tried. The export and import trade of the district had considerably advanced, and the general prosperity of the people had in consequence increased. He felt sure that there would be ample work for a separate Subordinate Judge, taking into account appeals from the orders of the *Munsif* of Jajpur relating to suits from the southern parts of the sub-division of Bhadrak in the Balasore district and decisions of the *Munsif* of Balasore itself.⁴³ But the Government did not take steps to remove the difficulty of the people. The Court of Subordinate Judge was thus not re-established.

In 1880 another court of *Munsif* was established in Cuttack to lighten the work of the Subordinate Judge of Cuttack.⁴⁴

39. RAO, 1877-78, para 77.

40. *Ibid*, 1879-80, para. 106.

41. *Ibid*, para. 108.

42. *Ibid*, 1881-82, para. 117.

43. *Ibid*.

44. *Ibid*, 1879-80, para. 107.

Act XIV of 1882

The civil procedure code of 1859 was repealed and re-enacted first by the code of 1877 and then by the Act XIV of 1882. As a result the following procedure in civil cases was achieved.

The jurisdiction of a District Judge or Subordinate Judge extended to all original suits cognizable by the civil courts. The jurisdiction of a *Munsif* extended to all like suits in which the amount or value of subject matter in discipline did not exceed one thousand rupees. Appeals from the decrees and orders of District Judge lay to the High Court. Appeals from Subordinate Judge and *Munsif* lay to the District Judge, except when the value of the subject matter exceeded five thousand rupees.

The above procedure along with the procedure of Small Cause Court under Section 6, Act XI of 1865 constituted the system of civil justice followed in Orissa.*

Civil Litigations

The Civil Courts dealt satisfactorily with the mass of business submitted to them, though the number of civil suits increased from time to time. The number of disposals was well in excess of the number of institutions. Unless there was exceptional rise in the litigations, the cases were generally not kept pending. On several occasions, the District Judge expressed satisfaction with the works of the district courts.

From the year 1879, the civil litigation showed a marked tendency to rise. In 1878 the number of civil cases instituted was 6,299; in 1879, 8,083;* and in 1890, 13,089.* In 1895 the number rose to 15,893.*

Several factors accounted for the steady increase in civil litigation. With the spread of education, the people were be-

45. RAB, 1882-83, p. 57.

46. *Ibid*, 1879-80, para. 97.

47. *Ibid*, 1891-92, para. 29.

48. *Ibid*, 1895-96, para, 33.

coming more conscious of the value of money and property and at the same time of the value of the courts to protect them. With better facilities for communication, it became more convenient for the villagers to come to courts which were situated in the town.⁴⁹ The great rise in the value of land caused an increase of litigation for its possession.⁵⁰ Another cause was assigned to the provisions of the new limitation Act XV of 1879 which had reduced the period within which suits might be brought upon registered bonds from 6 to 3 years. The growth of business and trade and greater demand for money also led to the same fact.⁵¹ The wide prevalence of the custom of adoption and the large number of religious endowments called *mathas* with their special customs, incidents and rules of inheritance to the *Mahantship* gave rise to an appreciable amount of litigation somewhat peculiar to the province of Orissa.⁵²

The trial of rent suits in the revenue courts was an important feature of the administration of civil justice. In most of the divisions of Bengal, it was subsequently transferred from the Collector's Revenue Courts to the Civil Courts under Act VII (B.C.) of 1869. But in Orissa the rent suits continued to be tried in the Revenue Courts under Act X of 1859.⁵³

As the higher courts, such as the Courts of District Judge and Subordinate Judge, were situated at Cuttack, far away from the northern part of Balasore, the transfer of rent suits to Civil Courts must have put poor people to troubles and sufferings. Besides, in the Civil Courts sufficient time elapsed between the institution and decision of a contested suit.⁵⁴ The people did not appreciate the delay. Therefore, the popular feeling was opposed to the transfer of rent suits to the Civil Courts.⁵⁵

49. RAO, 1883-84, p. 24.

50. *Ibid*, 1881-82, p. 27.

51. *Ibid*, 1879-80, p. 31.

52. *Ibid*, 1891-92, paras. 29-31.

53. *Ibid*, 1874-75, p. 19.

54. Calcutta Review, Vol. CXI, July 1900, "The Administration of Civil Justice in Bengal."

55. RAO, 1891-92, p. 31.

During the period, 1895-1900, there was a considerable increase in the number of civil cases instituted, owing to the settlement concluded in 1899, the opening of the railways, the general growth of trade and the consequent development of business relations.⁵⁶ This resulted in the congestion of civil files. This was dealt with by the deputation to Cuttack of an additional *Munsif* and establishment of a new Court of *Munsif* at Bhadrak in April 1900.⁵⁷ Disposals during the period 1900-1905 averaged 472 in the Courts of District and Subordinate Judges and 22,403 in the Courts of *Munsifs* against 432 and 17,915 respectively in the previous quinquennium (1895-1900).⁵⁸

The increase in the number of rent suits, in particular, had been very noticeable. The average of institutions rose from 6,200 during 1895-1900 to 16,500 during 1900-1905. The average of disposals rose from 5,883 during the first quinquennium to 15,009 during the second quinquennium.

This increase in rent suits was attributed chiefly to the fact that the land revenue demand having been enhanced at the last settlement, the Zamindars could not afford to allow large arrears to remain outstanding as they were accustomed to do when they enjoyed larger profits. Also, the settlement records gave increased facilities to the Zamindars to prove the area and annual rental of the tenants' holdings, which were formerly subject of dispute. Hitherto, many Zamindars shrunk from bringing before the courts their disputes as they had no reliable records of their own.⁵⁹

There was yet another reason why the landlord felt compelled to resort more largely to civil suits since the settlement than before. Formerly, the non-resident *ryots* were mere tenants-at-will. If he fell into arrears, he was summarily evicted and anybody willing to pay up the balance of the rent

56. L. S. S. O'Malley, Bengal District Gazetteer (Puri), p. 293.

57. Quinquennial Administration Report, Orissa, 1900-01 to 1904-05, paras, 49-50.

58. *Ibid*, para. 48.

59. L. S. S. O'Malley, Bengal District Gazetteer (Puri), p. 293.

was installed in his place. This was not so common after the conclusion of the settlement. Nine years of settlement operations taught the people the nature of their rights. Armed with the record of rights, the poorest tenant could successfully resist this form of tyranny of the landlord. He could seek a remedy in an action against him in the Civil Courts. The result of many criminal cases had taught the Zamindars that a suit in the Revenue Court was a much safer means of realizing arrears of rent than forcible dispossession of the defaulter or illegal restraint of his crop.⁶⁰

E. F. Growse, the Commissioner of Orissa, said that the increase of rent suits was a healthy sign of the development of tenant's rights. This increase had been accompanied by a diminution in the proportion of contested cases. This was believed to indicate that there was yet no tendency on the part of the tenant to throw designed obstacles in the way of landlord.⁶¹

Criminal Justice under the East India Company

During the early period of the Company's rule, the administration of criminal justice was attended with vexations and difficulties to the prosecutors, witnesses and the parties.⁶² Gradually several changes were introduced to restore confidence in the British system of justice.⁶³ In 1853 Henry Ricketts, the Commissioner of Orissa, observed that the administration of criminal justice was successful. He was pleased to see that cases instituted were increasing day by day and the number of disposals in Criminal Courts were well in excess of institutions during the last several years.⁶⁴

At the time of the assumption of Government by Crown,

60. S. L. Maddox, Final Report on the Survey and Settlement of the Province of Orissa, Vol. I, para. 325.

61. Quinquennial Administration Report, Orissa, 1900-01 to 1904-05, para. 151.

62. B. C. Roy, *Foundations of British Orissa*, pp. 255-256.

63. *Utkal Dipika*, 26 December 1871.

64. BJP, April 1854, No. 172, Extract from the Report of Henry Ricketts, 8 December 1853.

the judicial system in criminal cases was as follows: The Sadar Nizamat Adalat which was located at Calcutta was the supreme Court of appeal from the court of Sessions Judge. There was one Court of Sessions Judge for the three districts of Orissa. He was the same person as the Civil Judge. In respect of his double functions he was termed the Civil and Sessions Judge. His jurisdiction was partly original and partly appellate. His original jurisdiction was restricted to persons committed by the Magistrate to take their trial at the sessions. His appellate jurisdiction extended to all sentences and orders passed in judicial trials by the Magistrate of the district or his subordinates. The District Magistrate was the criminal judicial officer next in rank to the Sessions Judge. When the district was large, a Joint Magistrate was appointed. He was independent of the District Magistrate. There were Assistant Magistrates and Deputy Magistrates to help District Magistrates and Joint Magistrates in the discharge of their duties.⁶⁵

In the district of Balasore, there were three Courts of Criminal Justice, namely, the Courts of the Magistrate and the Joint Magistrate at Balasore and Court of the Deputy Magistrate at Bhadrak. In the district of Puri, there were three Criminal Courts, namely, the courts of the Magistrate and the Assistant Magistrate at Puri and court of the Deputy Magistrate at Khurda. In the district of Cuttack there were five Criminal Courts namely, the courts of the Magistrates, the Joint Magistrate, the Deputy Magistrate, the Law Officer, and the Executive officer of Works Department. The last two officers were of the rank of Deputy Magistrates.⁶⁶

Honorary Magistrates

Immediately after the assumption of the administration of Orissa by the Crown, important reforms were introduced in the administration of criminal justice. The first important reform was the appointment of Honorary Magistrates to assist

65. Calcutta Review, Vol. XXXIV, January-June 1860, "Law Courts of the Bengal Presidency."

66. BJP, April 1854, No. 172, Extract from the Report of Henry Ricketts, 8 December 1853.

the judicial work of the Criminal Courts. It was proposed by the Government of India that the system already adopted in Oudh and Punjab, of entrusting magisterial functions to carefully selected landholders and others should be introduced in the districts of Bengal. Its expediency was at once admitted by Sir J. P. Grant, the Lieutenant-Governor. He suggested that the Honorary Magistrates should be vested with the judicial and not with the police powers of the magistracy. The Government of India, in acceding to the above suggestion agreed that the extension of the measure would be advantageous. In 1860, 45 Honorary Magistrates were appointed in Bengal. Of them, one Honorary Magistrate was appointed in Cuttack and another in Puri.⁶⁷

Introduction of Indian Penal Code and Criminal Procedure Code

The year 1862 was very eventful in the history of criminal administration of Orissa. In that year the Indian Penal Code, the Criminal Procedure Code and the Police Act were introduced and the Sadar Nizamat Adalat was replaced by the new High Court. The High Court henceforward exercised the appellate powers of the abolished court.⁶⁸

The enactment of the Indian Penal Code in 1860 was a reform of the first order. The great Code was the fruit of many years' work. It embodied the original genius of Macaulay's draftmanship and the fruits of the expert criticism of lawyers and judges, notably Sir Barnes Peacock.⁶⁹ The Code preserved the spirit of the English criminal law, but discarded its mass of technicalities, while adapting it to Indian conditions. It had been eulogised by Sir James Stephen as by far the best code of criminal law in the world.⁷⁰

The Code came into force in the beginning of 1862, when it superseded the Mohammedan law still in force. The work of

67. RAB, 1860-61, p. 14.

68. RCP, 1890, para. 2.

69. C. E. Buckland, *Bengal under the Lieutenant-Governors*, Vol. I, pp. 218-219.

70. L. S. S. O'Malley, *History of Bengal, Bihar and Orissa under British rule*, p. 428.

codification was advanced still further, with the enactment of the Criminal Procedure Code in 1861. It also came into operation in 1862. The effect of these radical changes was immense. A new and higher standard of efficiency was created both for the magistrates and the police. The antiquated procedure became a thing of the past. The administration of criminal justice received a new life.⁷¹

The Code of Criminal Procedure of 1872

The new code of criminal procedure came into force on 1 January 1873 in Orissa. One of the most important novelties in the Code was the power of summary trial in certain classes of cases such as petty theft, house trespass, rioting and assault etc. This power was conferred on the District Magistrate. It was also provided that it might be specially conferred on first class Magistrates or on Benches of Magistrates. Such a course was calculated to win the public confidence.⁷²

In accordance with this provision, rules having the following objectives were framed. The Benches consisting of a salaried Magistrate with not less than second class powers sitting with two or more Honorary Magistrates were to be conferred with powers of the first class and the highest summary powers. A salaried Magistrate of any grade sitting with one Honorary Magistrate would have inferior summary powers. Two or more Honorary Magistrates sitting together were to be vested in towns with summary powers in municipal cases and like cases only.⁷³

In pursuance of these rules, benches consisting of a salaried Magistrates and more than two Honorary Magistrates were formed in Puri and Cuttack in 1873, and were vested with the power of holding summary trials.⁷⁴

When the system of summary trial was introduced, the Government was not without apprehension that while it would

71. RCP, 1890, para. 2.

72. RAB, 1872-73, p. 115.

73. *Ibid.*

74. *Ibid.*, p. 117.

be undoubtedly attended with many advantages, it was still liable to partial failure. It might in some cases result in trials being held in a hurried and imperfect manner. The Government, therefore, in introducing the system deemed it necessary to proceed with care and caution.

Those officers who were shown to be of proved experience were vested with the power of holding summary trials. At the same time, the District Magistrates were required to exercise a careful supervision over the proceedings of their subordinates, and to bring to notice all instances in which the powers of summary trial were indiscretely exercised. Similarly, the Commissioner was required to examine when on tour the files of each court and to submit periodical reports on the manner in which the powers conferred on the several officers within their respective jurisdictions had been exercised.

The reports of the Commissioner of Orissa had shown that by 1876 the summary provisions of the law had been worked successfully. The proceedings of all officers had been carefully watched. There had been a marked absence of any complaints. The system had resulted in the greatest possible convenience to the public as well as to judicial officers. The people had their complaints disposed of rapidly and without involving the necessity of irksome and prolonged attendance at the courts. The judicial officers had been enabled to devote more of their time to duties of greater importance than the disposal of petty criminal charges. In short, the disfavour and apprehension with which the measure was at one time regarded by some important classes of the community, gradually disappeared. The benefits were gradually admitted.⁷⁵

Code of Criminal Procedure of 1882

The Code of Criminal Procedure of 1862 was re-enacted in 1872 and again in 1882. The new Code which came into operation in 1883, further improved the procedure. It envisaged the following procedure in criminal cases.

Criminal justice was administered by the High Court, the

75. RAB, 1875-76, p. 90.

Court of Sessions in Cuttack, which had jurisdiction over the three districts of Orissa, and the courts of the various classes of Magistrates. The High Court, as the highest court of appeal, disposed of appeals in respect of convictions on trials before a court of session. It revised upon reference from Session Judge or District Magistrates the decisions of the inferior courts, when in error upon points of law. It confirmed, modified or annulled all sentences of death passed by the Sessions Court. The Court of Session presided over by a single Judge tried all cases committed by the Magistrates, all appeals from the decisions of the Magistrates of the first class when the sentence exceeded one month's imprisonment or 50 rupees fine. The powers of a Session Judge were limited only by the amount of punishment which might be inflicted for the offence under the Penal Code, except that sentences of death were passed subject to confirmation by the High Court. The power of a Magistrate of the first class extended to sentencing offenders to imprisonment, either rigorous or simple, up to two years, to fine to the extent of Rs. 1,000, imprisonment and fine combined, also to whipping as a separate or additional punishment for certain offences. The District Magistrate always exercised first class powers. He also heard appeals from the Magistrate of the second class and third class within the district. Any magistrate of the first class duly empowered by the Government could similarly hear and decide all such appeals. A Magistrate of the second class could award imprisonment up to six months, fine upto Rs. 200, or both and also whipping as the sole or as an additional punishment if specially empowered by the Government. A Magistrate of third class could only imprison up to one month or fine upto Rs. 50, or combine these punishments. The Benches consisting of two or more Magistrates sitting together, appointed at the headquarter stations and subdivisional stations, exercised judicial powers. Their powers varied in different localities.⁷⁶

Extension of the Bench System:

The most prominent feature of the administration of

criminal justice during the period from 1875 to 1895 was the extension of the Bench system. The policy of the Government was to establish Benches, consisting of two or more Honorary Magistrates presided over by a salaried Magistrate, in all the districts and sub-divisional headquarters of the province. Upto 1876 it could not be extended beyond district headquarters of Cuttack and Puri as educated landlords were not available elsewhere to act as Honorary Magistrates.

In 1876, an increase in crime was reported. The officers concerned were of opinion that it was not so much due to actual increase of crimes as due to more accurate supervision and more frequent recourse to courts. They added that the tendency, hitherto, so strong amongst Oriyas, to settle their own differences among themselves without the intervention of Government officials was growing weaker day by day.⁷⁷

T. E. Ravenshaw, doubted "whether this was an unmixed good." He stated: On the one hand rough and ready justice of the Zamindar or village *panchayat* saved the people from long journeys and harassing attendance at distant courts with its concomitant expenses. Further, by the trials amongst the neighbours who knew all the history of the parties, the truth was more easily to be got at. On the other hand these untrained self-constituted tribunals often did a great deal of injustice. Not content with punishing the offence they inflicted on the offender and often on all his relatives, a life long stigma. Besides, their views of "what is right and what is wrong" were at time eccentric.⁷⁸

The real remedy, in his opinion, lay in the extension of the powers of Honorary Magistrates to all Zamindars who could be trusted to wield them. He said: "This step has been extremely successful and highly popular in Cuttack and Balasore. We cannot prevent these men from exercising considerable influence over their *ryots*, nor is it, perhaps, desirable that we should do so. It is far better to acknowledge an undisputed fact, and turn to our own advantage an organisation too old and too

77. RAO, 1876-77, paras 69-70.

78. *Ibid.*

deeply rooted in the minds of the people to be ever thoroughly displaced.'⁷⁹

The Government accepted his views. Steps were taken immediately to organise a Bench System in all important places where educated and trusted persons came forward to play the role of Honorary Magistrates. By 1884, a Bench of Magistrates for the trial of criminal cases came into existence in the district headquarters of Balasore and in each of the sub-divisional headquarters, namely, Khurda, Kendrapara, Bhadrak, with the exception of Jaipur sub-division in the district of Cuttack. All the Benches were vested with second class and summary powers except the bench at Khurda. The latter tried cases referred to it by the District Magistrate and exercised third class powers.⁸⁰

The Honorary Magistrates rendered great assistance in the disposal of criminal cases. They proved to be responsible and sincere. From the results of appeals in cases tried by the Bench of Magistrates, it seemed that their decisions were more popular than those of individual Magistrates.

In 1885, the Bench system was considerably developed by making some of them independent of salaried Magistrates. The Benches of Magistrates at the headquarters of the districts of Cuttack and Puri were made independent in 1885. The Benches at Kendrapara and Bhadrak were also invested with powers to try cases independently.⁸¹ An independent Bench consisting of 8 Honorary Magistrates was created at Jaipur in 1889. In the same year the Khurda Bench was vested with second class and summary powers and Balasore Bench was made independent of salaried Magistrates.⁸²

In 1889 the work of Kendrapara Bench and Cuttack Bench was found to be unsatisfactory. The meagre outturn shown by these Benches was due to irregular attendance of its members. The attention of the Honorary Magistrates of Kendra-

79. *Ibid*, para 70.

80. *Ibid*, 1884-85, p. 22.

81. *Ibid*, 1885-86, para 92.

82. *Ibid*, 1889-90, para 79.

para was drawn by the Magistrate of Cuttack to the necessity of either observing more regularly in future or tendering their resignations if they did not wish to work as Honorary Magistrates. This warning ensured the regular attendance of its members. A. C. Tute, the Magistrate of Cuttack, recommended the abolition of the Cuttack Bench in February 1890.⁸³ His successor, Manistay took measures to effect a thorough reorganisation of the Cuttack Bench. Persons expected to be more competent and sincere were allowed to take part in the Bench. The result was that the attendance of the Honorary Magistrates improved and that the Bench held an extra sitting every Saturday in addition to the former bi-weekly sittings. No less than 392 cases were decided by this Bench during 1890, against 207 in 1889.⁸⁴

The Government not only refused to accept any proposal for the abolition of the Bench system but also deprecated any interference on the part of Government officers in the works of Honorary Magistrates. Full independence was allowed to them in the disposal of criminal cases.⁸⁵

Jaipur was the heaviest criminal sub-division in Orissa. The Bench at Jaipur did useful work. But in 1892 it showed a tendency to acquit. On enquiry, G. Stevenson, the Magistrate of Cuttack, found that the acquittals in many cases were based on insufficient grounds. The special attention of Honorary Magistrates was called to these. The Sub-divisional Magistrate was asked "to watch the work of the Bench more closely and to bring to notice any case in which he thinks the bench has wrongly released accused, explaining to them in each case the points on which the Honorary Magistrates may seem to have erred."

T. E. Ravenshaw was not in sympathy with these orders for three reasons. First, it was inexpedient to subject the work of Honorary Magistrates to the criticism of a Deputy Magistrate. Second, the Honorary Magistrates if at all worthy of

83. RAO, 1889-90, para 79.

84. *Ibid*, 1890-91, para 73.

85. *Ibid*, 1890-91, para 73.

their position, should not require such close supervision in trying the class of cases entrusted to them, which seldom involved anything but a question of fact, on which an Honorary Magistrate was quite qualified to adjudicate. Thirdly, it was imprudent to open the door to executive interference with the courts.⁸⁶

Thus the procedure of the Magistrate of Cuttack did not meet with the approval of the Commissioner. The Government condemned the practice in its circular dated 29 August, 1893.⁸⁷

The Benches became gradually a regular feature of the administration of criminal justice. They rendered material help in the disposal of criminal cases. Their attendance was on the whole satisfactory in spite of the fact that the Government interference in their work diminished.⁸⁸ They relieved the stipendiary Magistrates of an amount of work which almost formed in 1893 and 1894 a third of the cases disposed of by them.⁸⁹ The Deputy Magistrates, being thereby relieved of any appreciable amount of criminal work, could be able to devote more attention to the various revenue departments under their control. Besides trying cases, Honorary Magistrates assisted in holding local and judicial enquiries, recording confessions, and performing other duties which had formerly been effected by the regular staff.⁹⁰ G. Toynbee, the Commissioner, admitted that in these days of high pressure, the administration of criminal justice could hardly be carried on successfully without them.⁹¹

In 1895, Maunde, the Magistrate of Cuttack, recommended the appointment of Honorary Magistrates in the interior of the district. He pointed out the following advantages of the proposal: "A great many petty complaints come to the Magistrates at headquarters which should be disposed of in the

86. RAO, 1892-93, para 43.

87. *Ibid*, 1893-94, para 62.

88. *Ibid*, 1892-93, para 44.

89. *Ibid*, 1891-92, para 32.

90. *Ibid*, 1888-89, para 88.

91. *Ibid*, 1891-92, para 32,

village, and a great many other cases are instituted which could be settled amicably by village Honorary Magistrates, if such existed, and the cases were referred to them. It is not a healthy practice, and not good for the people that they should resort to distant courts for every petty village squabble, with a number of witnesses who are well "drilled" before they appear as witnesses, whether the case be true or false. It is desirable that we should teach the people to look up to their own leading men for settling such cases, and that we should invest such men with some authority in such matters. The entire destruction of village autonomy, and of all the power and authority which leading and elderly villagers possessed in olden days, is not an unmixed blessing."⁹²

R. C. Dutta, the Commissioner of Orissa, opposed the introduction of Benches in the *mofussil*. He said: "That is a cumbrous institution, not suited to the habits of the people in the interior. But it is certainly possible to select intelligent, respectable, and reliable men in large villages, to appoint them as Honorary Magistrates within fixed areas for a period of two or three years only and to make over to them all petty disputes within their jurisdiction, primarily for amicable settlement, and for judicial disposal of those cases which cannot be settled. If such magistrates give satisfaction, there can be no objection to their reappointment; if they fail, we select others when their time is up. We can in this way get a great deal of local disputes locally settled; and they would be much better settled there than by Magistrates at headquarters, stipendiary or honorary."⁹³

On the whole, the Benches of Honorary Magistrates proved very useful in the administration of criminal justice. They disposed of 2,313 cases in 1900 against 1,583 in 1895.⁹⁴ Of the 45,162 cases disposed of during 1900-1905, 28,562 were decided by the stipendiary, and 16,600 by the Honorary Magistrates.⁹⁵

92. RAO, 1894-95, para 183.

93. *Ibid*, 1895-96, para 157.

94. Quinquennial Administration Report, 1895-96 to 1899-1900, para 73.

95. *Ibid*, 1900-01 to 1904-05, p. 20.

Failure of the Administration of Criminal Justice

The statistics of the crime cognizable by the police reported and disposed of during the 11 years between 1875 and 1886 showed that a disproportionate number of persons brought before the courts were acquitted. During this period the percentage of convictions to the total number of persons tried by the courts and charged with offences never exceeded 61 in Orissa.⁹⁶ and 56 in Bengal.⁹⁷ The results of the sessions trials were also unsatisfactory. It is worth noticing that the results of session trial of cognizable cases in the districts of Balasore, Cuttack and Puri within the same sessions division and under the same Judge showed respectively 80, 70.3 and 54.3 per cent of convictions in 1879. There were again the same noteworthy differences in the results of trials in these districts within the same session trials in 1889—Puri 43.2, Balasore 35.1 and Cuttack 25.⁹⁸

An examination of the ratio of cases convicted to the number of true cases both in the sessions court and Magistrate's court revealed the existence of defects both in police and judicial administration. The defects in the administration of police are discussed separately. There were also certain defects in the working of the criminal courts which led to the failure of criminal administration.

C. F. Worsley, the Commissioner of Orissa, assigned the one important defect in the working of the criminal courts to the insufficiency of the magisterial staff. When magistrates were overworked, some parts of their work were done hurriedly or arrears accumulated or both. Their revenue duties were always increasing. An officer devoted only such time to criminal work as he could spare from the management of three or four revenue departments. The Commissioner suggested that there should be at least one first class Magistrate at each headquarters, employed solely on criminal work.⁹⁹

96. RAO, 1875-76 to 1885-86.

97. RAB, 1891-92, pp. 7-10.

98. RCP, 1890-91, p. 77.

99. BJP (Police), November 1892, No. 146, Commissioner of Orissa to Government of Bengal, No. 691J, 31 July 1890,

Another defect was pointed out by B. L. Gupta, the Judge of Cuttack. He complained that magistrates did not exercise a sufficient check on the police, but sent up to the sessions, in an incomplete state, perfunctorily investigated cases without summoning and examining for themselves witnesses when police had omitted to send up.¹⁰⁰

The Police Committee of 1890 was directed to enquire minutely into the imperfections which existed in the administration of criminal justice and to suggest remedies.¹⁰¹

The Committee ascribed the failure of criminal justice mainly to the deterioration in the work of Magistrates. In their opinion the work of Magistrates was by no means as efficiently performed as it should be. The comparatively low standard of efficiency attained by most of the Deputy Magistrates was attributed to faulty selection in the past, want of proper judicial training, insufficient separation between judicial and executive duties, insufficiency of the magisterial staff, and insufficient supervision exercised by the District Magistrates over them.¹⁰²

Measures to Improve the System

In order to increase the efficiency in the administration of criminal justice, the Committee gave several recommendations. Sir Charles Elliott, the Lieutenant-Governor, accepted them, and rules were laid down to give effect to them.

The Committee urged that District Magistrates should exercise greatly increased supervision over subordinate Magistrates. While avoiding interference with the discretion of such Magistrates, they should endeavour to secure punctuality of attendance, method, regularity, promptitude, and general efficiency in the disposal of business, and when necessary, should assist their subordinates by judicious criticism and advice.¹⁰³

100. *Ibid*, No. 154, Judge of Cuttack to Government of Bengal, No. 420, 13 August 1890.

101. RAB, 1891-92, pp. 7-10.

102. RCP, 1890, para 177.

103. *Ibid*, 1890, para 189.

In order to secure the above objectives, the following measures were taken in the light of the recommendations made by the Committee. A fortnightly register showing the number of under-trial prisoners was to be submitted to the District Magistrate for each subsidiary jail. The District Magistrate was directed to inspect once a week the trial register of each subordinate Magistrate at headquarters, sending for particular records, calling for explanation, or passing other orders where necessary. A statement was to be sent from each court away from headquarters, containing extracts from the trial register, showing each case which had been remanded more than three times or had been pending more than a month. The District Magistrates were also, if possible once a quarter, to send for and inspect the records of the last six cases disposed of by each subordinate Magistrate without previous warning.¹⁰⁴

The system of competitive examination introduced for the recruitment of Subordinate Executive Service, appeared to the Committee to be excellent. But they suggested that the Evidence Act should be added to the subjects to be taken up for examination. This suggestion was acted upon by the Government of Bengal immediately.¹⁰⁵

The Committee suggested that in order that subordinate Magistrates might feel that their success depended as much upon attention to their judicial work as to their executive work, their merits should be reported on by the Session Judges as well as by the District Magistrates.¹⁰⁶ Sir C. Elliott accepted this suggestion. At his direction the High Court issued instructions to Sessions Judges that they were authorised and expected to inspect the Courts of Magistrates subordinate to them.¹⁰⁷

With regard to the training of Deputy Magistrates, the Committee proposed that they should be kept in a state of probation for three months. During this period they should

104. RAB, 1891-92, p. 9.

105. RCP, 1890, Resolution of the Lieutenant-Governor of

106. *Ibid*, para 184.

Bengal, No. 4298J, 28 November 1891.

107. *Ibid*.

confine to learning the routine of the courts and procedure in criminal trials. They felt: "A short probationary training of this kind imperfect as it might be, could not but be valuable, and would do much towards securing future efficiency on the part of a young officer subjected to it."¹⁰⁸ The Government, while recognising the wisdom of the proposal, decided not to implement it immediately.¹⁰⁹

On the defects arising from the union of judicial and executive functions, the Committee stated: "The work of Magistrates suffers greatly from the division of attention, and the frequent interruptions consequent on the union of judicial and executive functions in the same officer, and it has been further pointed out that an officer, who is entrusted with some executive department in addition to his judicial duties, is apt to concentrate his interest and his energies on the former."¹¹⁰ The Committee was, therefore, in favour of separation of powers. But it did not suggest this remedy in the case of sub-divisions, where complete separation of functions was impracticable. The reason assigned was that there was only one officer who was immediately responsible for both the executive and the criminal judicial administration of the sub-division. The Committee was of opinion that this was practicable at the headquarters where there were several officers. It was recommended that there should always be at the headquarters at least one Magistrate of the first class, who should be able to devote his undivided attention to the disposal of criminal cases.¹¹¹

This recommendation was not acceptable to Government. In their opinion, the advantages which might be obtained from carrying it out might be outweighed by disadvantages.¹¹²

The Commission recommended that the Court Sub-Inspectors should be relieved of their routine duties in order that they

108. RCP, 1890, para 182.

109. *Ibid*, Resolution of the Lieutenant-Governor of Bengal, 4298J, 28 November 1891.

110. *Ibid*, para 183.

111. *Ibid*, 1890, para 183.

112. *Ibid*. Resolution of the Lieutenant-Governor of Bengal, No. 4298J, 28 November 1891.

might devote themselves fully to the prosecution of cases.¹¹³ From 1 January 1893, the Court Sub-Inspectors were relieved of all duties as cashiers of the Magistrate. Such duties were made over to the Magistrate's establishment. The Court Sub-Inspectors were thus left free to attend to the prosecution of cases.¹¹⁴

The failure of justice at the Sessions Court was assigned by the Committee to the imperfect way in which many cases were committed by the Magistrates. The Committee advised that powers of committal should be entrusted only to selected Magistrates of the second class and not to all. After consulting local officers, the Lieutenant-Governor vested this power in selected officers in every province.¹¹⁵

It had been pointed out that accused persons were often detained before the courts for an unreasonable time while enquiries were being made by the police about their antecedents. It was enjoined on District Magistrates and Sub-divisional Officers that they should watch the proceedings of the investigating police officers with greater care, and issue instructions as they might think fit in the interest of the success of courts.¹¹⁶ Above all, Sir Charles Elliott insisted that there should be no avoidable delay in the disposal of cases. It should be a point of honour with Magistrates not to plead want of time as an excuse for adjournment. When witnesses were in attendance, the court should not rise at 5 p.m. as had hitherto been too often the practice. It should sit till dusk or even after dark rather than subject parties and witnesses to the inconvenience of another day's detention.¹¹⁷

These reforms in the working of criminal courts were introduced immediately after the receipt of the Police Committee's report. At the same time, steps were taken to improve the

113. *Utkal Dipika*, 26 December 1891, pp. 395-396.

114. RAO, 1892-93, p. 14.

115. RCP, 1890, Resolution of the Lieutenant-Governor of Bengal, No. 4298J, 28 November 1891.

116. RAB, 1891-92, p. 9.

117. C. E. Buckland, *Bengal under the Lieutenant-Governors*, Vol. II, p. 921.

administration of police. As already described, Honorary Magistrates rendered a great deal of assistance in the administration of criminal justice. As a result, a great improvement manifested itself in this branch of administration. The percentage of convictions for the whole of Orissa was 73.3 in 1893, 75.5 in 1894¹¹⁸ and 83.0 in 1895.¹¹⁹

Crime

The people of Orissa were described as the least criminal in India. They were, as a rule, very quiet and orderly. There was no professional crime in Orissa.¹²⁰

In 1877 crime showed a marked tendency to increase. The figures below explain the position.¹²¹

Cognizable Crime				
	<i>Cuttack</i>	<i>Puri</i>	<i>Balasore</i>	<i>Total</i>
Average number of cases reported during five preceding years	1885.2	2001.2	1264.63	5151.03
Cases reported in 1877	2383	3452	1805	7640

Non-cognizable Crime				
	<i>Cuttack</i>	<i>Puri</i>	<i>Balasore</i>	<i>Total</i>
Average institution of cases in five preceding years	2351.8	1590.2	1200.7	5142.7
Number of cases instituted in 1877	3118	1980	1599	6697

The Commissioner of Orissa was of opinion that the increase in cases brought before the courts did not represent the actual increase of crime but was due to the following causes: (1) the increased familiarity of the people with the machinery of courts; (2) the gradual decline of the authority of the

118. RAO, 1894-95, para 186.

119. *Ibid*, 1896-97, para 150.

120. *Ibid*, 1879-80, Resolution of the Lieutenant-Governor of Bengal, 24 August 1880.

121. *Ibid*, 1877-78, para 71.

Zamindars; (3) the greater facilities for complaining in the shape of improved communications; (4) the possession of the means of paying for the hearing of a case owing to good harvests for the last few years.¹²²

However crime did not rise to such an extraordinary level again between 1878 and 1892. But the year 1893 was criminally the worst since 1877. The number of crimes committed rose to 14,922. To account for the increase in the Cuttack district, the Magistrate of Cuttack said: "Settlement operations, as well as the suspension of agricultural operations for a long time, owing to extremely heavy rainfall, contributed greatly to this increase." In Balasore the increase was ascribed to settlement operations. In Puri, the increase was ascribed on the one hand to a large concourse of pilgrims leading to a considerable increase in offences under Act V of 1861 and under Puri Lodging House Act, and on the other hand to active prosecution under excise and forest laws.¹²³

During 1895 a large number of counterfeit coins were discovered in the district of Cuttack. A gang of false coiners from far away Bijapur were caught in Cuttack with their implements and false coins. The Commissioner had no doubt that most of the flase coins in circulation had been coined by such gangs from Western India.¹²⁴

There was one case of rioting which deserved notice. It took place in the town of Cuttack on the night of 23 August 1896. The Magistrate of Cuttack described it thus: "Some privates of the 6th Madras Native Infantry, since transferred from the station, made a raid on the northern part of the town which adjoins the cantonments and indiscriminately assaulted whomsoever they came across. About 40 people were hurt. What led to this was friction between two factions of Telenga weavers, one of which employed some bad characters amongst sepoys to help their side. These sepoys were attacked in the

122. RAO, 1877-78, para 71.

123. *Ibid*, 1893-94, p. 16.

124. *Ibid*, 1895-96, para 122.

row which followed, and it was immediately rumoured in the lines that sepoys were being attacked, and this led to a large body turning out to rescue and revenge their comrades; some of the sepoys were identified and sent up along with some weavers. This case ended in conviction.¹²⁵

In 1897, crime took an upward course, and in the following year it reached the high figure of 19,960. During the next two years the fluctuations were of a normal nature. But in 1902 a downward course commenced and continued.

The period from 1897 to 1900 was synchronous with the concluding stage of the land revenue settlement, and from 1897 to 1902 with a period of comparatively high prices and also with the construction of the Cuttack-Calcutta extension of the Bengal-Nagpur Railway which brought a large number of outsiders into the province. It was certain that the settlement had a disturbing effect upon the relations of landlords and tenants and upon the economic condition of the country. At the same time, high prices and the influx of outsiders as well as the introduction of railway communication were causes which had some effect upon criminal statistics.

By 1905 the province had recovered from its temporary 'bouleversement' and was settling down into normal conditions. E. F. Growse, the Commissioner of Orissa did not expect that Orissa would ever again be so immune from crime as it was, in its days of peaceful isolation.¹²⁶

125. RAO, 1896-97, para 120.

126. Quinquennial Administration Report, Orissa, 1900-01 to 1904-05, p. 16.

CHAPTER VI

Irrigation

Commencement of Irrigation

Till 1866, the utility of irrigation was very little known to the people of Orissa. Wells and canals were non-existent. Sugarcane and sometimes tobacco were irrigated from tanks, and spring or *Dalwa* rice was irrigated by lifts from holes in the marshes.¹ On the disastrous effects of the absence of any form of irrigation in Orissa Lieutenant J. W. Ottley said:

"The plains of the province of Orissa, containing a cultivated area of about 3,137,920 acres, a population of 3,034,680 souls, and paying a revenue to Government of about Rs. 16,84,835 is geographically isolated to an excessive degree, that the population inhabiting it are essentially rice-eaters; that practically the whole food supply of the country is grown in the one December rice crop; that ordinarily the fall of rain is sufficient to mature that crop, but that frequently, or say once in seven or ten years, the rain fails at the critical time, the consequence being a famine of a more or less severe character; that occasionally, or say once in 50 years or so, these famines are so widespread as to cause the deepest distress; that inundations are more frequent than the droughts, and when the land is submerged for any length of time, do almost incalculable mischief, the value of the crops destroyed in one year alone in the *Mogulbandi* having been estimated at £890,000 sterling;

1. Selections, Note by Lt. J. W. Ottley, 10 December 1874.

that severe inundations are becoming more and more frequent; and lastly, that the remissions of Government revenue on account of droughts and floods during 36 years amounted to twenty-fifths of the whole demand for that period.”²

These evils had existed for many years. But in 1854 a new danger was recognised. It was found that a great change was taking place in the heads of Kathjuri and Mahanadi rivers, in consequence of which a much larger portion of the floods entered the head of the former river than its lower parts were capable of carrying off.³

In 1855, Lieutenant Harris, who was then Executive Engineer of Cuttack, made a comprehensive survey of the various rivers. He ascertained that the head of Kathjuri or southern branch of the Mahanadi, had been widened to the extent of one-third of a mile in 15 years, and that the process of widening was annually proceeding in an increasing ratio. He further discovered that the various branches of Mahanadi were quite incapable of discharging of quantity of water entering the head. The danger apprehended was that Cuttack would be destroyed and the whole of the villages in Puri district swept away.⁴

By 1857 the danger had increased. Captain Short wrote: “I find, on inspection, the head of the Katjoori taking in the whole of the low water current and its beds so scoured that the low water level is 2 feet below all former ones, whilst the Mahanuddy, the main stream, is, for the first time on record, entirely dry.”⁵

The first step proposed to remedy this evil was the construction of a spur at Naraj, the point of bifurcation of the Kathjuri and the main stream of the Mahanadi in order to force a larger portion of the water down the main branch.

2. Selections, Note by Lt. J. W. Ottley, 10 December 1874.

3. *Ibid.*

4. *Ibid.*, No. 8, Note by Colonel H. W. Gulliver, the Chief Engineer, Bengal Irrigation Branch, 19 February 1875.

5. *Ibid.*, Note by Lt. J. W. Ottley, 10 December 1874.

Even at this time the construction of a continuous weir was considered but only the spur was actually constructed.*

These small works were not considered sufficient to turn the water into its proper channel. The proper control of so vast a river required the very best engineering advice and experience. Moreover, it was pointed out that the nature of the evil was exactly similar to that which had existed in the Cavery and Krishna rivers, which had been efficiently controlled by the Madras Engineers. Therefore in 1858 Colonel Arthur Cotton (afterwards Sir Arthur) was deputed from Madras to report on the steps necessary for controlling of the river Mahanadi.⁷

After a short visit to Cuttack, Colonel Cotton, in May 1858, submitted to the Government of India a memorandum embodying his views on the subject. He observed that the small works already executed had shown some effect. He felt assured that turning back into the Mahanadi of the larger portion of water could be easily managed and said:

"But though this new great evil can thus be easily remedied, it would only restore things to their former state, which was still such that the whole delta was continually subject to awful droughts and floods. This question of the control of the Mahanuddy is not a question of the preservation of the town of Cuttack containing 35,000 inhabitants; it is a question of the preservation of the provinces of Cuttack and Pooree containing probably 1½ millions."⁸

Colonel Cotton maintained that the only way of effecting this was to carry out a system of works that would completely regulate the waters of the province, similar to those in the Godaverry and Krishna deltas. He, therefore, proposed a scheme for the irrigation and navigation of the Orissa deltas and a main canal which should connect the deltas with

6. Selections, No. 8, Note by Colonel H. W. Gulliver, 10 February 1875.

7. G. C. Maconchy, Report on the Protective Irrigation Works in Bengal, p. 256.

8. Vide Note by Lt. J. W. Ottley, 10 December 1874.

Calcutta. He estimated the cost of these works at £1,300,000 and the area capable of irrigation at 2,250,000 acres. The estimate was merely on assumed rate per acre of land to be irrigated and not at all on the actual physical peculiarities of the country. He suggested that if Government was unwilling to execute these works itself, an English Company should be permitted to carry them out.⁹

The success of the irrigation works in Tanjore and in the deltas of the Godavary and Krishna was brought forward by Arthur Cotton as evidence that similar works in the delta of the Mahanadi must also be successful, financially as well as physically. He gave, however, no actual facts in support of the general statement, and he made no reference to the normal rainfall or to the ordinary necessity for irrigation in Orissa. He quoted the fact that in the hot weather cultivators were lifting water at considerable expense and, therefore, if water was supplied from canals, they could gladly pay for it. His confidence in the success of any irrigation project found expression in the following words:

"There is not a single acre of land in Bengal, in all India, or in the whole world, that would not be more productive if it were irrigated at one time and drained at another."¹⁰

Captain Colonel Young, the Chief Engineer, agreed with Colonel Cotton and showed how benefits were derived from irrigation, and how in the North-Western Provinces and Madras, irrigation works had been financially successful. He was, however, of opinion that sufficient data had not been recorded regarding the cost of the scheme as proposed by Colonel Cotton. He himself made no definite recommendations with respect to the project.¹¹

The Madras Irrigation and Canal Company addressed the

9. G. C. Maconchy, Report on the Protective Irrigation Works in Bengal, p. 256.

10. Arthur Cotton, Report on the Mahanadi River, 1858, p. 8.

11. W. A. Inglis, Narrative of the principal events connected with the Flood Embankments in Orissa and of the Origin and Development of the Orissa Canals, pp. 11-12.

Board of Directors of the East India Company in July 1858 and the Secretary of State in November 1858 to undertake the works of construction as recommended by Colonel Cotton. But the Secretary of State declined to sanction such an arrangement. Thereupon, a new company, the East India Irrigation and Canal Company was formed in August 1860 for the purpose of carrying out irrigation works in Orissa. After successful negotiation with the Government, it was incorporated by an Act of Parliament in 1861.

The capital of the company was fixed at £2,000,000 with powers to increase the same, the first issue being fixed at £1,000,000. The following arrangements were made between the Government of India and the Company in December 1862. The Government was to give all land free of charge. The Company was to construct the works. After they were ready for irrigation, the Company was to distribute the water, while the Government was to collect the water-rates, and after deducting the cost of collection, to pay the remainder over to the Company.¹²

The Engineer under Colonel Rundall, who had been sent to the Company by Government, assembled in August 1862, and elaborated a scheme, very similar to that sketched by Sir Arthur Cotton, estimated to cost £2,000,000 and to command the area of 1,500,000 acres for irrigation. The entire scheme was approved by Sir A. Cotton. He was deputed at the expense of the Company to assist Colonel Rundall. The preparation of detailed plans and estimates of its various sections were entered upon, in accordance with the terms of contracts. The following works were selected for immediate construction and were commenced. They were divisible into six parts or arrangements, viz.:

1. The Naraze Weir, the anicuts across the Mahanadi and Birupa rivers, and the head works at Cuttack, all being works of an expensive character, but necessary to afford and regulate the supply of water, not only to the three next named works, but to others not yet executed.

2. The first section of the High Level Canal, which was planned to extend from the Mahanadi river to the Brahmini river.

3. The Kendrapara canal from Cuttack to the False Point.

4. The Taldanda canal with its Machgong branch, from Cuttack to the coast.

5. The Midnapur and Calcutta Canal from Midnapur to the Hooghly river; and

6. The first three reaches of the tidal canal from the Rupnarain river to the Subarnarekha river.

In addition to these six works or sections, other works of a slight but necessary nature, which the company were bound to carry out under their contract, such as embankments to protect the city of Cuttack, were at once begun.¹³

The general plan of the works was intended for (1) protection from floods, (2) irrigation and navigation, (3) drainage. The works commenced in November 1863 and by the end of 1865, water first became available from the company's works for irrigation of lands.¹⁴

Rates for Water Supply

While the works were in progress, deliberations started regarding the rates to be charged. It was assumed that the water would have a very considerable value to the cultivator, and also that the cultivator would be quick to appreciate the advantage. Therefore, the Government of Bengal proposed to the Board of Revenue that rates should be fixed both on a supply by volume and also on the area to be supplied.¹⁵ The Board of Revenue agreed with R. N. Shore, the Commissioner of Orissa, that it would be fairest and most expedient to charge for the water by volume. The rates proposed were 8 annas per 1,000 cubic yards from 15 June to 15 November

13. Selections, Note by Lt. J. W. Ottley, 10 December 1974.

14. *Ibid.*

15. Bengal Public Works Department Proceedings, June 1866, Government of Bengal to Board of Revenue, No. 2040, 30 March 1863.

and 1 rupee per 1,000 cubic yards from 16 November to 14 June. R. N. Shore reckoned that for the autumn rice 3,500 cubic yards might be required per acre as an average in addition to the rainfall, so that the charge by volume would be equivalent to a rate per acre of Rs. 1-12 annas. The Board of Revenue, recommended that these rates should be provisional.¹⁶

In September 1864, Colonel Rundall, the Chief Engineer of the Company, submitted to the Bengal Government a memorandum in which he urged that the rates proposed were too low, and he advocated Re. 1 per 1,000 cubic yards from 15 June to 30 October and Rs. 1-8 from 1 November to 14 June. Having in view the practical difficulties in selling water by volume, he wished to have the rates fixed by area as well as by volume.¹⁷

In March 1865, R. N. Shore accepted the rates for sale by volume as proposed by Colonel Rundall, and he proposed as rates per areas, Rs. 4 per acre for autumn rice, Rs. 5 for two crops land, and Rs. 6 for sugar and cotton. He was, however, of opinion that assessments on the area would not answer unless they could be made compulsory.¹⁸

In March 1866, water was available for irrigation in parts of the Kendrapara canal system. T. E. Ravenshaw, the Commissioner, reported that the people did not understand the sale by volume, and advised that it should be left optional to sell by volume or by area to be irrigated.¹⁹

There was a desire on all sides to arrive at a satisfactory

16. Bengal Public Works Department Proceedings, June 1866, No. 26, Board of Revenue to Government of Bengal, No. 39, 22 February 1866.

17. *Ibid.*, No. 30, Chief Engineer to Government of Bengal, 1 September 1864.

18. W. A. Inglis, Narrative of the principal events connected with the Flood Embankments in Orissa and of the Origin and Development of the Orissa Canals, p. 18,

19. Bengal Public Works Department Proceedings, June 1866, No. 45, Commissioner of Orissa to Govt. of Bengal, No. 132, 21 March 1866,

resultt. Finally in June 1866, the following rates were approved by the Lieutenant-Governor:

Supply by volume

Rs. 1 per 1000 cubic yards from 15 June to 31 October —For irrigation

Rs. 1-8 per 1000 cubic yards from 1 November to 4 June— „ „ „

For all purposes other than irrigation

Rs. 2.8 per 1000 cubic yards

Supply by area

Rs. 3 per acre for the irrigation of a single crop.

Rs. 6 per acre for the irrigation of two crops.

Rs. 5 per acre per annum if a lease for the whole area were taken.

Rs. 1 per acre for an occasional flooding to be charged for each effective flooding of a crop.²⁰

The Governor-General of India and Colonel Morton, the experienced Superintendent of Irrigation in the North-Western Provinces, and many others were of opinion that these rates were too high to induce the cultivators to take the water rapidly. Colonel Rundall, the Chief Engineer, and Boothby, the Manager, were, however, of different opinion. But they were authorised by the Board of Revenue to lower the rates at first, if necessary.²¹

Later on the rates were lowered for lessees of large areas.^{22*}

20. Bengal Public Works Department Proceedings, June 1866, No. 45, Government of Bengal to Board of Revenue, No. 2252, 23 June 1868.

21. Selections, Note by Lt. J. W. Ottley, 10 December 1874.

22. *Ibid.*

	Rs.	A.	P.
*The charge per acre for an annual lease of 300 acres was to be	2	8	0
The charge per acre for an annual lease of 250 acres was to be	3	0	0
The charge per acre for an annual lease of 200 acres was to be	3	8	0
The charge per acre for an annual lease of 100 acres was to be	4	0	0
The charge per acre for an annual lease of 50 acres was to be	4	8	0
The charge per acre for an annual lease under 50 acres was to be	5	0	0

A Measure to Popularise Irrigation

As the canals became capable of supplying water for irrigation, it became evident that the people either would not or could not use it. Because they were afraid to do so lest their lands which might be improved by irrigation would be assessed highly in the forthcoming revision of the settlement in 1867.²³

The rates which were fixed for Company's water, were based on those obtaining in the Godavary and Krishna deltas. But the tenures in Orissa were essentially different from those of the Madras districts. That fact was not taken into consideration while fixing the rates. In the latter, the settlement was *ryotwari*, and the Government imposed a definite land rent and a definite water rent. On taking water the cultivator knew exactly what extra amount he would have to pay, i.e., either Rs. 3, 6 or 5 per acre, exclusive of his land rent. He also knew that his land rent would not be raised on that account. In Orissa, on the other hand, the settlement was *zamindari*. A large proportion of the cultivators knew that, independently of the price of the water, they would be called upon to pay an indefinite increase of land rent to the Zamindar.

There was also a strong feeling among the zamindars that the land revenue of those lands which might be improved by irrigation, would be enhanced in the land revenue settlement. Hence both zamindars and tenants refused to use water from canals.²⁴

To remedy this state of affairs, and at the desire of the company, a proclamation was issued in August 1860, informing the zamindars and others about the following views of the Government. That the water-rate was wholly distinct from and independent of the revenue. That it would not in any way directly or indirectly affect the revenue assessment at the approaching settlement. By taking water they would not render themselves liable to any increased rate of assessment. They

23. Bengal Public Works Department Proceedings, No. 45
T. E. Ravenshaw to Government of Bengal No. 132, 21 March 1866.

24. Selections, Note by Lt. J. W. Ottley, 10 December 1874,

would not have to pay twice for irrigation or for water supplied to them.²⁵

These assurances did not appear to have had much effect. The people were as disinclined to take the water as before the proclamation.

Taking Over the Works by Government

Water for irrigation first became available from the Company's canals in December 1865. On 20 April 1866, the first irrigation lease was signed for an area of 3½ acres only. At the end of February 1867, the area irrigated amounted to 6,674 acres at the time when water sufficient for 60,000 acres was ready for use. At the end of October 1867, the Company were prepared to supply water for 153,000 acres, whereas the area actually under irrigation amounted to 9,836 acres only. The whole gross revenue under this head from the commencement to October 1867 amounted to £4,339-9-3 only.²⁶

With such returns, the shares of the Company fell in the market and in the words of the Directors, it became necessary "to await the realization of profits from their initiatory sections before raising capital for undertaking the remainder of the larger scheme".²⁷

Such was the state of affairs when in November 1867 the Government made an offer to take over the works from the Company.

The works in Orissa were undertaken on the distinct understanding that necessary capital would be provided by the Company without recourse to Government aid. That expectation, however, had not been realised. When the resources of the Company were being exhausted, the Orissa works were being carried on by means of advances obtained from the Government of India. As the original estimate was to be largely exceeded in future and as the Company found it difficult to raise further funds, it became evident that there was no probability of

25. *Ibid.*

26. RAB, 1870-71, Paras, 132-133.

27. *Ibid.*

the Company being able to carry out the works.²⁸ In these circumstances, the Government of India suggested to the Secretary of State for India in July 1867 that the Company should be asked to give up the Orissa undertakings to the Government of India on being indemnified for past expenditure.²⁹

Sir Stafford Northcote, the Secretary of State for India, gave his careful attention to this important question. He believed that works projected by the East India Irrigation and Canal Company, were well-calculated to confer great benefit upon the agriculture of Orissa.³⁰ But looking at the position of the works, and at the system of advances by which they were being carried on, Sir Stafford Northcote considered that it would be for the advantage of the Government and of the Company, and still more for the advantage of the public, that the Government should purchase these works and complete them by means of their own agency. The system of advances which was adopted to meet an immediate emergency, would come to an end at the close of 1867 and Sir Stafford Northcote decided not to sanction any new loan arrangement.³¹

The shareholders of the Company were at first somewhat unwilling to give up the project. But after somewhat lengthy negotiations, a deed of surrender was signed in London on 30 November 1868. By the terms of the deed the Company received £ 990,050, 8s. 7d. representing the capital of the Orissa undertaking excluding 5 per cent which was allowed as interest. The debt of £ 152,000, which had been advanced by the Government of India to the Company was cancelled. A sum of £50,000 was also paid with the object of compensating the servants. Government undertook to take into their service all persons employed by the Company.³² Thus with the conclusion of this agreement, the East India Company ceased to work in Orissa and the Orissa project became the property of Gov-

28. RAB, 1870-71, paras. 132-133.

29. Bengal Public Works Department Proceedings, December 1868, Despatch No. 114, 19 July 1867.

30. Selections, Note by Lt. J. W. Ottley, 10 December 1874.

31. RAB, 1870-71, para. 134.

32. *Ibid*, para 135.

ernment on 1 January 1869 on payment of a sum of £ 1,040,050.³³

The progress which had been made with the works, when they were taken over, may be briefly described as follows:

The Naraj anicut had been raised to a crest level of 73.25 ft. as compared with 77.50 ft. which was the designed height. This work was completed with the exception of sluices which were in progress. The anicut across the Mahanadi had been built up to a crest level of 64.50 ft. Crest shutters remained to be provided, and shutters for the sluices had not yet been constructed. The anicut across the Berupa had been built up to a crest level of 63.50 ft. and was approaching completion. The head sluices of the Taldanda canal were in progress. The head sluices of the 1st range of the High Level Canal were practically complete, and so was the entrance. The sluices and entrance lock for the Kendrapara canal were also complete.

Work had been commenced on the first 20 miles of the Taldanda canal and on the first 8 miles of the Machgong canal, but was not much advanced. The Kendrapara canal had been opened as far as Marsaghai and was fairly complete. Thirteen distributaries from this canal were in progress. The first range of the High Level Canal was nearly completed for the first 23 miles. Twelve head sluices for distributaries had been built and five distributaries were partly completed. Little had been done for the anicuts across the Brahmani, Pattia, Baitarani and Bura, and for the second and third ranges of the High Level Canal.³⁴

Sanction of the First Estimate

In November 1869, an estimate of the whole project was submitted to the Government of India by Colonel Rundall, the Chief Engineer. He estimated the whole series of works, including the main distributaries to cost Rs. 2,77,13,978. The

33. Selections, No. 8, Note by Colonel H. W. Gulliver, Chief Engineer, Bengal Irrigation, 19 February 1875.

34. W. A. Inglis, The Canal and Flood Banks of Bengal, pp. 12-15.

project for which the estimate was prepared was calculated to irrigate 1,600,000, acres of land, and to provide 530 miles of canal irrigation. The irrigable area represented according to his calculation, two-thirds of the cultivated area. His estimate of ultimate revenue was as follows:

	<i>Rs.</i>
Irrigation, 1600,000 acres at Rs. 2-8	40,00,000
Navigation	5,50,000
Custom dues	1,00,000
Waste lands and rents	2,00,000
Enhanced land revenue	5,00,000
Miscellaneous	50,000
	—
Total	54,00,000
	—

The working expenses were taken at Rs. 9,54,500, leaving a net revenue of Rs. 44,45,000 or about 16 per cent on the estimated outlay.

Colonel Rundall did not advance any arguments to show that there was any certainty or even probability of there being a demand for irrigation for the whole irrigable area. He merely stated that the water was worth more than Rs. 2-8 per acre, and therefore, approved of that rate.³⁵

The Government of India sent the estimate for the sanction of the Secretary of State for India. But it added: "How much of the ultimate returns calculated by Rundall, it may be possible to realize, it is, of course, premature to say."³⁶ In July 1871 the Duke of Argyll, the Secretary of State for India, approved of the resolution of the Government of India to proceed with the works and sanctioned the estimates submitted.³⁷

35. Bengal Public Works Department Proceedings, November 1869, No. 39, Colonel Rundall to Government of Bengal, 18 November 1869.

36. Selections, Government of India to Secretary of State for India No. 35, 6 March 1871.

37. Selections, Secretary of State to Government of India, No. 48, 27 July 1871.

System of Revenue Management

The revenue was derived mainly from two sources. the rates charged for water supplied for irrigation, and the tolls.

When the works were taken over by Government, Act VI of 1869 was passed in the Bengal Council to provide for the system of revenue management. This replaced Act VIII of 1867, the earliest Act relating to irrigation in Bengal.³⁸

The management of irrigation and collection of rates was entrusted to a Revenue Superintendent who was a member of the Civil Service with the rank of Magistrate and Collector. This officer was placed directly under the Irrigation Department of Government and Chief Engineer. He was independent of the local revenue officers in the irrigated districts and of the Commissioner and the Board of Revenue. His decisions in revenue matters were final. No appeal from them lay to the Commissioner or any superior officer.

He had to arrange for all irrigation leases, for the supply of water to the lessees, and for the supervision of irrigation. The duties of the Engineers of the Public Works Department were limited to the maintenance of the canals and to the supply of water to the main canals.

The Superintendent had under his orders three deputies, one of whom had charge of the irrigation in Midnapur, and the others of that in Cuttack. They were helped by a subordinate staff of zilladars or supervisors, and patrols. Kirkwood first held the appointment of Revenue Superintendent.³⁹

A set of rules issued under Act VI of 1869 provided for the sales of the water by volume and also by area of irrigation. The rate fixed were as follows:

Sale by Volume

Re. 1 per 1,000 cubic yards between 15th June and 31st October and Rs. 1·8 per 1,000 cubic yards during the rest of the year.

38. W. A. Inglis. A Review of the Legislation in Bengal relating to Irrigation, Drainage and Flood Embankments, pp. 1-20.

39. RAB, 1871-72, pp. 256-257.

Sale by Area

Rs. 6 per acre for sugarcane per crop.

Rs. 5 per year for any crops other than sugarcane.

Rs. 3 per crop for any single crop not remaining more than six months on the ground.⁴⁰

Financial Failure of Irrigation Projects

Upto 1872, the water rates had never reached an amount much in excess of the receipts from navigation, and in fact, had scarcely paid the expenses of collection. This fact sufficiently indicated the low degree of development which the irrigation had yet attained in Orissa.

The main cause of the backwardness of the people to avail themselves of the advantages of irrigation was assigned to a want of appreciation of the value of water on the part of the cultivators. They doubted its value at the price charged for it and resorted to it only to save their crops at the time of drought, rather than as a means of increasing the productiveness of the soil. Other cause producing the same effect was that the cultivators feared not the increase in taxes likely to be made by the Government but the increase which would certainly be made by the zamindar on the ground of increased productiveness due to irrigation.⁴¹

When the Orissa Irrigation Company first began to offer a supply of water to the cultivators, they demanded a rate of Rs. 5 per acre. It was said that the price was altogether in excess of its value in the then state of prices and of practical acquaintance with the use of water for irrigation among the cultivators. Even in 1871, when irrigation was to some extent appreciated by some of the people, such a rate was considered perfectly prohibitory. It was as high as that charged in the Madras districts, where irrigation was thoroughly understood, where the rainfall was only half of what it was in Orissa, and

40. W. A. Inglis, Narrative of the Principal events connected with the Flood Embankments in Orissa and of the origin and Development of the Orissa Canals, Chapter XVIII.

41. RAB, 1871-72, p. 255.

where the price of rice was nearly double. Even at the half rates first demanded, they got very few customers. When the Government took over the Company's concern, it was necessary to reduce the rate till it came to one rupee per acre. To quote Sir George Campbell, "So for the past six or seven years the process has gone on very much after the manner of a Dutch auction, the company and their successors putting up the water for sale at a certain rate from year to year, and the ryots beating them down to a lower, until at least, a rate was reached only one-fifth of that originally demanded."⁴²

Thus, the rates had always been too high to induce the people to take water on a large scale. Besides, due to constant changes and fluctuations in the water-rates, the people never knew any year what the rate would be next. They had seen more than once that the rate even changed in the course of the same year.

The system of revenue management was also attributed to the financial failure in irrigation matters. Firstly, because written agreements or leases were not always insisted upon. The leases were usually given to one person, such as a zamindar, while practically the Revenue Officer had to deal with another, the *ryot*. The revenue could only be realised from the zamindar on proof that the *ryot* took water, which proved difficult for any Revenue Officer to establish.

Secondly, the leases were always for indefinite areas, "for as much land as should be found on measurement to have been irrigated". In the absence of any engagements on the part of the cultivators, it was often found practically impossible to prove the voluntary receipt of water, or even that any water was received at all.

Thirdly, owing to the incompleteness of the minor distributaries, there were in most cases no proper means of leading the water from the distributary to the land to be irrigated, and it reached it only by flowing from field to field, causing great waste and the irrigation of lands for which nothing was paid."⁴³

42. RAB, pp. 255-256.

43. *Ibid.*, 1871-72, p. 269.

Reform of Revenue Management

In 1872, it was felt necessary to establish a stable system to put the revenue arrangements on a regular footing and to regain the confidence of the people. In this endeavour a great deal of discussion ensued regarding the nature of the water-rate.

When it became clear that there were no more signs of the general adoption of irrigation by the people than before, its success under any system which left it optional for the cultivators to take water or to refuse it, began to be doubted. The compulsory rating was recommended by some authorities as the only effectual way of dealing with the case. T. E. Ravenshaw, the Commissioner of Orissa, held this view and advanced the following arguments in support of his view. The imposition of a light water-rate upon all bonafide irrigable land, would be more acceptable to the people, and more profitable to the state. It would involve less interference and less harassment of the cultivators by the revenue officials and would be much less costly to work. Besides, the Oriya *ryots*, finding the payment of the rate inevitable, would resign themselves to their fate and take the canal water regularly. In the course of a few years, they would willingly pay for what they had previously so obstinately refused. T. E. Ravenshaw proposed to begin with a rate of Re. 1 to be fixed for five years, to be afterwards raised to Rs. 1-4, and next to a maximum of Rs. 2. This rate was not to be exceeded during the term of the prevailing settlement."

V. H. Schalch, the Senior Member of the Board of Revenue, supported Ravenshaw's views. He advanced the following special reasons for the introduction of a compulsory rate. The necessity of the works to give protection to the Orissa deltas from drought and inundations, was absolute. The cost, however, was great, not less than 3 million sterlings. But the Oriya *ryots* were too ignorant and conservative to avail themselves of the irrigation offered to them. Therefore, they should be made to contribute, by means of compulsory assessment, to the cost of works constructed for their exclusive benefit. He

did not think that such a measure would be unpopular, and produced an example:

"When the supply of wholesale water for the town of Calcutta was under consideration, the native inhabitants were unanimously of opinion that the measure was not required, and that they would never use the water. A compulsory rate was very wisely imposed, and the result has been that within two years of the completion of the water-works, the natives are loud in their praise, fully appreciate the blessings they conferred, and are more active in introducing the water into their houses than even the Europeans."⁴⁵ He, however, wanted to make it an imperative condition antecedent to the imposition of a compulsory rate that no charges should be made for any portion of the area for which the water-supply might prove insufficient from any cause."⁴⁶

In opposition to the views of Ravenshaw and Schalch, Macpherson, the Collector of Cuttack, strongly urged the following facts. The voluntary system had not as yet had a fair trial. Its failure was due solely to mismanagement, and not to any intrinsic defects or unsuitability. The causes of its ill success were patent, viz., an entire absence of fixity of rates and of any uniform principle of sale of water and assessment, and an unfortunate attempt to force irrigation in advance of proper means of distributing the water and want of popular appreciation of its value. By removing these defects and giving the system at the least a fair and sufficient trial, Macpherson argued, that different results might be expected. He suggested that after a certain period, if the people still obstinately held back, a compulsory rate might be thought of.

With respect to a compulsory rate, Macpherson observed, "While allowing all the advantages to Government, possibly also in an indirect way to a portion of the people themselves—and I will merely say that I do not think it would be a just or a politic measure—it must be remembered that compulsory once, it is compulsory always. Government might impose now

45. RAB, p. 264.

46. *Ibid.*, 1871-72, p. 264.

a light rate to which no violent outcry would be raised, but it assumes the responsibility of raising this rate from time to time in a compulsory way till it reaches a standard which is thought sufficient; this is no light responsibility.”⁴⁷

A third proposal was brought forward by the Chief Engineer. He did not propose the imposition of a water-rate, but the payment of a rate to be paid whether water was taken or not. It should represent the actual bonafide benefits conferred upon the people by the works, irrespective of habitual irrigation, viz., protection from inundation, security against famine or scarcity, drainage, cheap carriage to good markets, a complete system of internal water communication, and an unfailing supply of good water. The *ryot* who refused canal water in ordinary years, and only resorted to it in seasons of exceptional drought to save his crop, was nevertheless, it was argued, in enjoyment of all other collateral advantages. To let him be untaxed, and to throw the whole charge upon his more intelligent neighbour who made a regular practice of irrigation, would be inequitable. Advantages enjoyed by all should be paid for by all. Common justice required that the whole burden should not be thrown upon one particular class. He advocated two kinds of rates. One was a general rate upon the land proportional to the increased value conferred upon it by security from inundation and from all extraordinary risks of season, by drainage, and by increased value of produce. The other was a special rate to be levied only on the lands for which water was taken regularly from year to year. All the benefits of both the compulsory and voluntary systems would in this way be obtained. This plan was said to be the only method of securing to the state its just dues.⁴⁸

Some decision between these contending theories of taxation was urgently called for. In a minute dated 12 December, 1872, Sir George Campbell, the Lieutenant-Governor reviewed the whole situation. He concurred with the views of Macpherson. He decided that the system to be pursued should be

47. RAB, 1871-72, p. 264.

48. *Ibid.*, p. 265.

purely voluntary, and directed that a proper set of rules should be drawn up to remove the defects of revenue management.⁴⁹

A committee consisting of the Commissioner, the principal revenue officers, and engineers met for this purpose at Cuttack in the spring of 1872. The rules recommended by them received the sanction of the Lieutenant-Governor and the Government of India and were introduced towards the close of 1872. In the meantime, Toynbee had succeeded Kirkwood as the Revenue Superintendent. He issued the revised set of rules in May 1872. They were designed to supersede the defects of the old system already mentioned. The following were the principal points in the new system.

A system of annual block lease was introduced. The rate for rice was Re. 1 for every acre in the block and for the water supplied on a written lease executed not later than 1 May, i.e., before the commencement of the irrigation. The water-rate was to be fixed for five years.

Penalty rates were introduced to check the practice of taking water only to save the crop in times of drought. The rate charged for water on leases given after the 1 May was 50 per cent higher than the regular rate. The idea of selling by volume was given up.

The supply of water on verbal application was absolutely prohibited. A formal written application was insisted upon in every case.

The Revenue Officer was to deal directly with each individual *ryot*, unless a special bargain was made with the zamin-dar. Each *ryot* would execute a lease for his own fields.

A lease would never be granted until it had been previously ascertained by careful inspection that the land for which it was bought was bonafide irrigable land, i.e., there existed the means of leading water to it without overthrow into other lands.

The leases were meant for definite areas. The payment for the full area leased was insisted upon, unless the lease-

holder could show that there had been a failure of water-supply. Such failure must be proved at the time it occurred.⁵⁰

On the introduction of the new system Sir George Campbell expressed his opinion: "From the new system better results may be anticipated, though the progress of irrigation will probably still be slow, and the time when the canals shall prove directly remunerative may be yet distant."⁵¹

The new rules worked satisfactorily though the area irrigated was still very small. George Campbell said: "Under a revised system and improved free-trade management, harmony and confidence have been restored, but still the difficulties resulting both from the tenure of the land and the unwillingness of the people to pay for water till reduced to extremity by failure of the rains, are so great that we have not succeeded in getting voluntary customers, except to an extent ridiculously disproportioned to our expenditure and our works."⁵² Experience, however, did not show any substantial improvement in the position as is seen in the following statement of areas irrigated and paid for.

In 1869-70 13,740 acres were irrigated.

In 1870-71 13,000 acres were estimated to have been irrigated, but the general result was that out of a total demand of Rs. 1,31,130 only Rs. 10,646 were collected.

In 1871-72 11,652 acres were irrigated and paid for.

In 1872-73 4,753 acres were irrigated and paid for.

In 1873-74 12,571 acres were irrigated and paid for.

In 1874-75 20,000 acres were irrigated.⁵³

The increase of the irrigated area in 1874-75 was due to the failure of rain. Thus, although the leased and paid for area was not rapidly increasing, the cultivators quite appreciated the value of the water when the rain failed.⁵⁴

50. RAB, 1871-72, pp. 269-270.

51. *Ibid*, p. 270.

52. Introduction to Bengal Administration Report, 1872-73, p. 32.

53. Selections, Note by Lt. J. W. Ottley, 10 December 1874.

54. *Ibid*.

A further improvement in the system of revenue management was introduced when in 1875 the Lieutenant-Governor ordered that the system of distributing the water and assessing the revenue should be assimilated as in Midnapur. Accordingly, the distribution of water was given to the Engineers under the control of the Superintending Engineer while the granting of leases and collections were placed under the Collector of the district instead of under a separate Revenue Superintendent. The post of Revenue Superintendent was abolished. The Collector of the district became ex-officio Revenue Superintendent and the Deputy Superintendents worked under him. It was hoped that the Collector's influence in the district would cause a more rapid progress of irrigation.⁵⁵

In 1876, a very elaborate Irrigation Act was passed and brought into operation. This was known as Act III (B.C.) of 1876. An alteration in principle was introduced into the Bengal Act. By this, in all cases a previous lease was required before water might be supplied. A change was also made in the conditions of leasing. The rate fixed was Rs. 1-8 per acre for flow irrigation and Re. 1 per acre for lift, when the whole irrigable area of the rice land of a village was leased, and when the lease was for a term of five years. For leases of a smaller area or for shorter periods, a rate of Rs. 3 per acre was required.⁵⁶

Sanction of the 2nd Estimate

In May 1873, Lieutenant-Colonel Haig, the Chief Engineer, Bengal Irrigation Branch, submitted the 2nd estimate for the sanction of the Government of India. In two years which had elapsed since the sanction of the first estimate the works had been steadily prosecuted and important progress had been made. Out of the 277 lakhs which the scheme was originally estimated to cost, about 200 lakhs had been expended, and still 15 lakhs per annum were being spent.

55. Selections, No. 6, Note by Colonel H. W. Gulliver, the Chief Engineer, Bengal Irrigation Branch, 16 December 1874.

56. W. A. Inglis, Narrative of the Principal events connected with the Flood Embankments in Orissa and of the Origin and Development of the Orissa Canals, p. 37.

As to returns, the results till then had been most unsatisfactory. The receipts had not covered the working expenses. Though one serious obstacle to the general use of water, a defective revenue system, had been removed, the demand for water continued to be regulated by the seasons. Little advance was made in the direction of regular and systematic monsoon irrigation. As the works stood in 1873, 1,95,000 acres were reckoned as actually irrigable. But in practice, only 12,571 acres were irrigated.

The Orissa scheme, in its original conception, embraced three districts but they were closely connected projects. They were Mahanadi series of canals, Brahmani and Baitarani series and Subarnarekha series. In December 1871, the persistent reluctance of the cultivators to avail themselves of the irrigation afforded by the Midnapur canal led to the temporary postponement of the Subarnarekha project. The reason was that the circumstances of Subarnarekha project, from an agricultural point of view, were considered analogous to those of Midnapur.⁵⁷

Lieutenant Colonel Haig, the Chief Engineer, showed the reasons why the works in the Godavery delta had been so profitable to the state, while the prospects of those in Orissa were so unpromising. They were as follows:

Firstly, the cost of the Godavery works was only about Rs. 10 per acre against Rs. 36 in Cuttack and Puri. That was owing to the greater cheapness of labour at the time the works were carried out there, to the less expensive character of the head works; and the total absence of any works of magnitude for the control of floods.

Secondly, the value of water in the Godavery delta was greater than in Orissa because of the smaller amount of rainfall.

Thirdly, the prices were about 50 per cent higher in Orissa than in the Godavery districts.

57. Selections, No. 4, Note by Lt.-Colonel Haig, the Chief Engineer Bengal, Irrigation branch, 29 May 1873.

Fourthly, the state could reap the full value of the investment in the Godaverry delta, as there was no middleman or zamindar to come between and divide the profits.

Fifthly, there was a far stronger feeling of confidence and security provided under *ryotwari* settlement of the Godaverry delta than under zamindari settlement of Orissa. In order to explain this reason, Colonel Haig added:

"The Cuttack ryots will generally attribute a certain value to the canal water but when the question is put, 'why then do you not irrigate', nothing is more common than the reply, 'why should I; half the profits will go to the zamindar, and half to the *Mahajan*'. No doubt this feeling of insecurity has been greatly increased in Orissa by the shameless extortions and wholesale frauds practised upon the ryots by the zamindars, as recently brought to light, and the virtual obliteration in some estates of the rights of the fixed tenure-holders, but in a greater or less degree it must ever prevail in zamindari districts even under the most vigilant administration, and in that degree will tend to depreciate the value of the works of improvement carried out by the state."⁵⁸

The Government of India analysed Colonel Haig's estimate. In view of the unsatisfactory financial position of the irrigation works, it decided to restrict the unremunerative expenditure and to confine operations to those works which were actually in hand. Accordingly, a revised estimate amounting to Rs. 1,92,95,684 for direct charges and Rs. 2,538,200, including indirect charges and interest during construction, was prepared and submitted for the sanction of the Secretary of State in March 1876. This provided for the moderate extension of the canals and construction of some extra-distributaries. It was calculated that as a result areas aggregating 6,20,814 acres might be brought under irrigation by means of the existing head works and main canals.⁵⁹

58. Selections, No. 4, Note by Lt.-Colonel Haig, the Chief Engineer, Bengal, Irrigation Branch, 29 May 1873.

59. *Ibid.*, Government of India to Secretary of State, No. 43, 24 March 1876.

The Government of India expressed their opinion that any such future extensions should be dealt with as new projects and should only be sanctioned on clear proof of probable financial returns. While Sir Richard Temple said that there was a fair promise of satisfactory financial return, the Government of India, with more justice, concluded that "nothing better was to be looked for than that the returns would at some distant date pay simple interest on outlay".⁶⁰

The Marquis of Salisbury, the Secretary of State for India, in the despatch No. 43 dated 10 August 1876, conveyed sanction to the estimate.⁶¹ This estimate, however, led to the enhancement of the cost of the project beyond the estimate of 1871. That was attributed to the following causes.

The full account of what was paid to the East India Irrigation Company was not known in 1871. The addition on this account was Rs. 13,28,047.

The Engineer's estimates of 1871 did not provide for the cost of taking up land. Land was given free to the Company. Their Engineers were taken over with the works, and prepared the estimates then submitted, omitting the cost of land as had been the custom up to that time. The charge for land inserted in the estimates was what had been given over to the Company, and which was supposed to be the full requirement of the works as then estimated.

An improved system of embankments for protection from floods had been added. This formed no part of the project under the arrangement between the Government and the Company.

Some additions had been made for drainage works. It was supposed that zamindars would carry them out.

Portions of the project, e.g., for Puri, had in this estimate been carried to a much greater extent than was originally contemplated.

60. *Ibid.*

61. Selections, Secretary of State to Government of India, No. 43, 10 August 1876.

Lastly, it was realised that the enhancement of prices had affected the rates at which the work could be done.⁶²

Withdrawal of the Proclamation of 1866

Colonel Gulliver, the officiating Chief Engineer, in a note dated 16 December 1874, showed that there was no prospect of the works paying the annual charges (including interest), unless it should be found on the resettlement of land revenue. He said: "Although the canals may not prove a paying speculation in the present century, it is not due entirely to oversight on the part of the projectors, but to the unfortunate results of the famine of 1866, by which Government is debarred for a term of thirty years from recovering anything beyond the bare water-rates and navigation tolls; although about 1,000 square miles have been protected from inundation, communication have been opened, and the wealth of the district enormously increased." He added: "If the proclamation of 1866 was to hold good, we are debarred for ever from raising the land revenue assessment on account of the advantages derived from irrigation".⁶³

The Government of India submitted Colonel Gulliver's note to the Secretary of State for his consideration. It stated:

"That the present aspect of these undertakings, which have been carried out with so large an expenditure, is very unpromising, can not be doubted. But for this reason it appears to me the more necessary to do all that is possible to foster the growth of irrigation, and to remove all obstacles to the development of the revenue that may fairly be expected from the works when their practical utility is more fully established. The financial importance of this is so great that no means should be left untried which may reasonably be expected to lead to improvement."⁶⁴ He agreed with Colonel Gulliver

62. Selections, Government of India to Secretary of State, No. 43, 24 March 1876.

63. *Ibid.*, No. 6, Note by H. W. Gulliver, the Chief Engineer, 16 December 1874.

64. Vide Selections, Secretary of State to Government of India, No. 43, 10 August 1876.

that the proclamation issued by T. E. Ravenshaw in 1866 was one of the obstacles in question, by barring the Government from placing on the expiry of the period of settlement a higher assessment on irrigated than on unirrigated land of similar quality.⁶⁵

The Secretary of State carefully considered the question of withdrawing it. He said: "The circumstances are now very different. The Commissioner himself speaks of the proclamation as having been intended to meet a special condition of affairs, which has since completely changed, and as consequently possessing no vitality. The Irrigation Company, in whose hands the works originally were, have ceased to exist; the scale of water-rates which they had contemplated has been entirely given up, and greatly reduced rates have been substituted. Moreover, notwithstanding the inducements held out by the proclamation, the extent of land irrigated continues very small, having in the last year, for which the accounts have been received, hardly exceeded 20,000 acres."⁶⁶ Hence, he was led to the conclusion: "The continued refusal to accept irrigation on the terms offered in 1866 releases the Government from all further obligation to maintain those offers in the future."⁶⁷

The Government of India was directed: "No time may be lost in giving notice that it will cease to have effect, excepting as regards those lands which have already been brought under irrigation, and continue to be irrigated at present."⁶⁸

A notice was accordingly issued. The proclamation of 1866 ceased to have effect from 31 March 1877.⁶⁹

Sanction of the Third Estimate

Sir Ashley Eden, the Lieutenant-Governor, visited Orissa

65. Selection Secretary of State to Government of India, No. 43, 10 August 1876.

66. *Ibid.*

67. *Ibid.*

68. *Ibid.*

69. *Ibid.*, Notice of the Government of India,

in the early part of 1878. He realised that the small extent of irrigation was due to the absence of means of distributaries over a greater part of the large area commanded by the expensive canals already constructed. He believed that the irrigable area might be doubled simply by the construction of new distributaries from the existing canals. The Chief Engineer received instructions to prepare estimates for extending the distributaries of the Kendrapara canal and for furnishing the Pattamundai canal with similar works.⁷⁰

The following information convinced H. C. Levinge, the Chief Engineer that there would be a progress of irrigation if some extra works were made. Since 1874 irrigated area and gross income yearly had increased fivefold. The receipt from navigation per mile of canal had more than doubled. The miscellaneous revenue had nearly doubled. The working expenses had only increased by about one-third. The net loss had diminished from Rs. 1,47,942 in 1874 to Rs. 39,303 in 1881. The sixty per cent of the whole area for which distributaries had been provided, was irrigated yearly. When the area irrigable had been protected from floods, drained and provided with village channels, the area actually irrigated during each year had risen to 76½ per cent of the area irrigable. He felt certain that there was every prospect of this proportion being maintained over the whole area if some additional works were completed.⁷¹

The estimates made by the Chief Engineer, were submitted to the Government of India in July 1882. The estimate for the additional works was Rs. 1,04,66,572 and the estimate for the entire project came to Rs. 3,23,15,845. The additional works included distributary channels, drainage works and embankments. The additional works in conjunction with existing work would, it was estimated, irrigate 5,67,451 acres in place of 2,24,308, which would have been irrigable. It was expected that the ultimate gross revenue would rise from Rs.

70. RAB, 1877-78, p. 273.

71. Selections, Nos. 12-13, Notes by H. C. Levinge, the Chief Engineer, 9 July 1881 and 6 August 1881.

10½ lakhs, the amount expected from the old works in 1902, to Rs. 24½ lakhs, while the maintenance charges would only be increased from 3.83 to 6.24 lakhs of rupees.⁷²

In its despatch dated 9 June 1883, to the Secretary of State, the Government of India sanctioned the revised estimates for the Orissa Irrigation Project. It agreed with the Government of Bengal that the completion of the additional works would lead to progress of irrigation and increase of receipts from irrigation and stated that there were strong reasons for completing the works proposed by the Bengal Government. They were stated in the following passage:

"We shall be so doing provide Orissa with protection from inundation, security against famine, and drought, cheap carriage to good market, a complete system of internal communication, and an unfailing system of good water. The saving of remissions of revenue on account of drought or inundation is estimated at Rs. 92,000 per annum on the area included in the entire project. The loss to the country from destruction of crops by inundation during the year 1866 alone was estimated by the Embankment Committee at Rs. 68.80 lakhs, while during 1865-66 about a million and a half sterling was spent on famine relief in Orissa, without one single public work to show for the outlay."⁷³

In his despatch No. 52, dated 20 September 1883, to the Government of India, the Secretary of State for India sanctioned the revised and completed estimates for the Orissa system of irrigation. But he did not agree with Government of India and other local authorities in thinking that Orissa project in its entirety would be attended with undoubted financial advantages. He said:

"The extent to which it may be found practicable to raise the Government demand must, however, depend largely on the effect it may have in checking the present disposition of the people to use the water. The introduction of irrigation into

72. *Ibid.*

73. Selections, No. 21, Despatch from the Government of India to the Secretary of State, No. 23 PW, 9 June 1883.

a district in which it has not hitherto been practised is necessarily a process requiring time and careful management, and the present low rates in Orissa were originally found necessary in consequence of the reluctance of the *ryots* to take the water when the works were first constructed. For these reasons I am led to the conclusion that there are considerable difficulties in the way of ensuring, by the measures contemplated, so large an increase in the revenue of the irrigation works as Your Excellency appears to expect.”” He further added:

“Whilst, however, I am unable to accept altogether Your Excellency’s conclusions as to the profitable results to be expected in the more immediate future, and I have, therefore, felt much doubt whether this expenditure ought to be classed under the head of productive works, I am satisfied that there is no hope of the ultimate financial success of the Orissa system, except by the extension of the works in the manner proposed, and looking to the great value of irrigation as a safeguard against famine, as well as to the other advantages enumerated in paragraph 12 of your letter under reply, I have decided to give my sanction to the further outlay you propose.””⁷⁵

The Commission of 1884

In November 1884, Commissioners were appointed to enquire into the following matters in connection with the administration of canals in Orissa:

- (a) Complaints received regarding the methods of assessing and collecting the rates.
- (b) Complaints regarding the construction of drainage cuts and enforced removal of bunds from natural drainages.
- (c) The existing tariff of water rates, both for long and short leases.

74. Selections, No. 22, Secretary of State to Government of India, No. 52, 20 September 1883.

75. *Ibid.*

(d) The proposed imposition of an "owner's rate", either on "irrigated" or "protected" lands.⁷⁶

The Commission consisted of the following persons: Lieutenant-Colonel Mcneile as President and R. H. Wilson and Major Harrison as members. The report of the Commissioners was submitted on 21 March 1885.⁷⁷

The Commissioners found with respect to 'A' that the chief source of complaints lay in the assessments made for illicit irrigation, that is, for irrigation effected without any lease and with water supplied for the irrigation of other lands which had been leased. No definite recommendation was made as to how such illicit irrigation was to be prevented.⁷⁸

It was after some years that the authorities felt that it was practicable to prevent illicit irrigation. The Canal Officers, therefore, devoted to arranging for lease of definite areas, with a definite supply of water, instead of supplying an imperfectly defined area with an indefinite supply of water. Next they tried to charge for all lands which were illicitly irrigated but not included in the lease.⁷⁹

As regards 'B', the Commissioners were of opinion that there were some valid reasons for dissatisfaction. They felt that the construction of drainage lines and the removal of old obstructions injuriously affected the proprietors of certain limited areas by lowering the water-level, and depriving them of the means of storing water. It thereby gave some foundation for the complaint that irrigation was forced upon those who, in the absence of drainage arrangements, were, in ordinary years, sufficiently supplied with water from natural sources.⁸⁰ The Commissioners recommended that while main drain-

76. Report of the Commissioners appointed to enquire into certain matters in connection with Orissa canals 1884-85, paras 1-2.

77. *Ibid.*, para. 2.

78. *Ibid.*, paras. 3-10.

79. W. A. Inglis. *The Canals and Flood Banks of Bengal*, p. 30.

80. Report of the Commissioners appointed to enquire into certain matters in connection with Orissa canals, 1884-85, para 25.

age channels must be kept entirely free from obstruction, the erection of temporary dams in minor channels might, in some cases, be allowed with advantage to adjoining lands and without any general injury to the tracts affected by this.⁸¹ The Government of Bengal accepted the recommendation as regards the drainage question. The orders were issued that they should be attended to in any future projects for drainage.⁸²

As regards the rates, the Commissioners considered whether it was desirable to introduce a differential tariff by which rates should be charged according to the situation of fields and nature of the soil. They concluded:

"The proposal to introduce a differential tariff has, at first sight, much to recommend it. There is no doubt that the value of canal water varies greatly in the case of different classes of land; and if lands were once correctly classified as (for instance) high, middle, and low, it would become possible to charge in each case, much more nearly than at present, a proper price for water. But we are unable to suggest any method by which such a classification could be practically effected without an expenditure of time, labour and money, altogether disproportionate to its value..... Notwithstanding, then, the theoretic value of the proposal to introduce a differential tariff, we are compelled to record our opinion that it would be practically impossible to carry it out at all satisfactorily or equitably, and that the retention of a uniform rate for all lands is inevitable."⁸³

It was, however, recommended that existing rates should be retained as generally fair. At the same time they found no reason to dissent from the hope, expressed by most of those who had already discussed the subject that a future increase of rates would prove to be practicable.⁸⁴

81. *Ibid*, para 32.

82. Government of Bengal to Government of India, No. 8431, 30 June 1886.

83. Report of the Commissioners appointed to enquire into certain matters in connection with Orissa canals, 1884-85. paras 47-48.

84. *Ibid*, para 49.

The Commissioners enquired into the question of imposition of a rate on the owners of lands protected or irrigated. An owner's rate, in the sense in which the phrase was used in the 'Upper Provinces', was considered inadmissible. There it was a uniform charge paid by the landlord for each acre irrigated. But they were in favour of imposing a cess, in the form of a percentage on the rental, on all land really irrigable and a smaller cess on land protected by the canals from flood, though not irrigable.⁸⁵

The Board of Revenue were in favour of a light compulsory rate being levied on occupiers as well as owners. They thought that to charge a compulsory rate on the owners, while it was left optional to the tenant to take a lease or not, would not be advisable.⁸⁶ The proposal to levy a compulsory rate on either owners or occupiers was not approved by the Government of Bengal. It was stated: "But while dissenting from the Commissioner's proposal to levy a compulsory rate, the conference were of opinion that at the next settlement of Orissa, the large expenditure incurred by Government on the construction of the canals should be taken into consideration and an attempt made to obtain, in the form of increased land revenue, some returns for that expenditure."⁸⁷ The conference alluded to in the above was one held on the occasion of the visit of Lieutenant-Governor, Sir A. Rivers Thompson, to Orissa in the autumn of 1885.⁸⁸

The Commissioners also enquired into the administrative procedure of the canals. The whole work of both assessment and collection was then in the hands of the Deputy Revenue Superintendent. As the amount of supervision which he could exercise throughout the area commanded by 226 miles of canals and 639 miles of distributaries was slight, a great deal of practically unrestricted power was necessarily left to his local

85. *Ibid.*, p. 117.

86. Board of Revenue to Government of Bengal, No. 677A, 11 September 1885.

87. Government of Bengal to Government of India, No. 843I, 30 June 1886.

88. *Ibid.*

subordinates, only one of whom drew a salary exceeding Rs. 50. The Commissioners said:

"The work of assessment, including as it does the determination of irrigable and irrigated areas, the submission of proposals for remission and the investigation of illicit irrigation cases, involves so many doubtful questions affecting individual interests that any change securing better and closer supervision by officers whose position places them beyond the reach of even unreasonable suspicion would, no doubt, be advantageous."⁸⁹

So they recommended: "The most obvious way of securing this end would be to transfer the supervision of the assessing establishment from the Deputy Revenue Superintendent to the Executive and Assistant Engineers in charge of the Orissa canals, thus assimilating the system more nearly to that now in force on the Sone canals. Supervision might then be much closer, officers competent to redress grievances would be much more accessible, and speedy enquiry into complaints would become possible."⁹⁰

The Government of Bengal was convinced of the advantages of the transfer of assessment to the officers of the Public Works Department and approved it.⁹¹

Reforms of Revenue Management

There was a large increase to the number of institutions of certificates for the recovery of water-rates in 1890. The certificates filed in 1888 were 5,145; in 1889, 8,594 and in 1890, 13,596.⁹² The Commissioner of Orissa said:

"It is the water-rate cases that chiefly swamp the file, paralyse the establishment, and irritate the people. So long as the demand is fixed and certain, a Government officer feels no

89. Report of the Commissioners appointed to enquire into certain matters in connection with Orissa canals 1884-85, para 75.

90. *Ibid*, para 76.

91. Government of Bengal to Government of India, No. 8431, 30 June 1886.

92. Land Revenue Report, 1890-91, p. 20.

hesitation in enforcing it by all legal means and with all possible strictness. But directly the element of doubt (of the legality or equity of the demand) creeps in, his energy is sapped and the people begin to talk of oppression and injustice. A radical change in the present method of dealing with and assessing illicitly irrigated areas is loudly called for.⁹³

An enquiry was made into the revenue administration of canals. It revealed many defects. The assessments were made altogether independently of the Engineers, who were not frequently consulted as to the lands for which water could be given. The enquiry into cases of unauthorised irrigation was delayed until long after the crops had been harvested. The five-year leases were granted on a system which necessitated a yearly enquiry and a yearly variation in the demand. The arrangements for collection were found to be ineffective and not economical.⁹⁴

Another defect arose from a suggestion of the Commission of 1884. According to that, the cultivators were allowed to exclude low lands at their choice at the time of taking the lease, but if it was found that those lands were subsequently irrigated, they were assessed.⁹⁵ That left open the door to illicit irrigation with many disputes which were inevitable.⁹⁶

Altogether it was evident that extensive and radical changes were necessary.

A commencement of the reform was made by vesting the Engineers with the powers of canal officers, and by discouraging charges for unauthorised irrigation unless careful and judicial enquiries had first been made into the history of each case.⁹⁷ In order to execute the certificates filed for the recovery of water-rates with promptitude, it was arranged that the canal

93. *Ibid*, para 70.

94. RAB, 1891-92, p. 26.

95. Government of Bengal to Board of Revenue, No. 8431, 30 June 1886.

96. Land Revenue Report, 1891-92, p. 34.

97. RAB, 1891-92, para 71.

Revenue Department (including Engineer) and not the Collector's office should dispose of them in future.⁹⁸

In April 1891 an experienced Irrigation Engineer, R. B. Buckley, who was conversant with the system in force in Sone, was directed to draw up rules for the reform of the revenue system. The rules drafted by this officer were approved of by the Government of Bengal. Thus a system resembling that in Bihar was introduced.⁹⁹

The reformed system introduced the practice of giving long term block leases, often extending to 10 years, but of discriminating between the various classes of land forming a block. But the latter practice, lands that never required irrigation, although water might often flow into them, would be excluded from assessment. A special rate of 8 annas per acre would be charged on those lands which derived benefit from irrigation only in exceptionally dry years.

It was also provided that after the first of September in any year applications for leases would be declined, and water would be supplied on a payment of fixed sum for an outlet of a certain size.¹⁰⁰

The appointments of Canal Revenue Superintendent and Deputy Revenue Superintendent were abolished. A Deputy Collector was placed under the orders of the Superintending Engineer, to do the work hitherto done by the Deputy Revenue Superintendent. He was vested with certificate powers. The Collector of the district who was hitherto ex-officio Canal Revenue Superintendent was relieved of all direct responsibility for either assessment or collection. But he retained the appellate powers with respect to all orders passed by the canal officers. On the other hand, the Superintending Engineer had now full control over assessment, collection and supply of water.¹⁰¹ Thus

98. Land Revenue Report, 1891-92, para 118.

99. RAB, 1891-92, para 71.

100. Calcutta Gazette, Notification, No. 1304, 19 April 1892.

101. Government of Bengal to Commissioner of Orissa, No. 3981, 25 March 1892.

the management of canal revenue was made over to the Public Works Department in the beginning of 1892.¹⁰²

These alterations in the system were admirable. In 1892-93 the collection became Rs. 2,00,000 in excess of any previous year. The arrears, which had become a scandal, had been proportionately reduced.¹⁰³ In 1894 the collection has further increased by Rs. 17,000. It was said: "Reforms of so drastic a nature must necessarily be slow of accomplishment; but there are already indications of the good results which may confidently be expected to accrue from them in future."¹⁰⁴

In March 1895, revised rules were issued. The rule passed in 1892 altogether prohibiting the receipt of applications for leases for a term of years after 1st September was withdrawn. It was, however, left optional to the canal officer to require prepayment of half the rate for the year as a condition of receiving such applications, and also to decline to grant a lease for a longer period than one year. In practice the canal officers were too glad to get applications for leases for a term of years at any time and it was practically only on the occasion of short rainfall in October that they had any chance of extending the area of irrigation.¹⁰⁵

In 1898, the rules for the Orissa canals were altered. Accordingly, the Sub-Divisional Officers who were responsible for the supply of water to the leased fields and not, as heretofore, the zilladars should issue the permits in future.¹⁰⁶

The water-rate was Rs. 1-8 annas per acre till 1902 when it was raised to Rs. 1-12 annas.

The long lease system was well suited to the canals. It tended to prevent loss of revenue in seasons in which irrigation was not required. It appeared to be popular with the cultivators. But the fact nevertheless remained that after many years' nursing of the lease system, it had not been pos-

102. Land Revenue Report, 1891-92, p. 34.

103. RAB, 1892-93, p. 38.

104. RAB, 1894-95, p. 32.

105. Calcutta Gazette, Notification, No. 83, 6 March 1895.

106. RAB, 1898-99, p. 21.

sible to induce the Oriya cultivators to pay a rate of more than Rs. 1.8 annas per acre for all the advantages of irrigation and protection from floods which the canals conferred upon him. Even after a revision of settlement, Government had not been able to propose a greater enhancement of this rate than 4 annas. On the Godavary and Krishna canals in the Madras Presidency, the rate varied from Rs. 4 to Rs. 4.12 per acre irrigated. The rates on the Midnapur canals were at about the same pitch as those on the Orissa canals.¹⁰⁷ The Indian Irrigation Commission of 1901-1903 stated:

"There is little prospect of any early increase in these rates, although a gradual enhancement may be justified now that the country has been opened up by railways, and the backward Uriya has been brought under influences which will encourage a higher class of cultivation. But if it were possible to raise the average water rate to Rs. 2.8 annas per acre, to increase the irrigated area to 250,000 acres and to reduce the actual maintenance charges by 20 per cent, the return on the capital expended would be less than 1 per cent."¹⁰⁸

The Closure of the Construction Estimates

The construction estimate of the Orissa Canal project was closed on 31 March 1895 and up to that time outlay amounted to Rs. 2,61,84,061. The further expenditure required to complete works already sanctioned (the works which had either not been commenced or had not been completed on 31 March 1895) was Rs. 1,86,621. The total cost of the project was, therefore, Rs. 2,63,70,682.

As a result of this outlay, the province of Orissa had been provided with the following works, which were for the most part situated in the Cuttack district.

Seven weirs were constructed across the river channels. Their aggregate length was 3½ miles. Along with the canal head sluices and entrance blocks, they formed the most exten-

107. Report of the Indian Irrigation Commission, 1901-1903, Part II, para. 387.

108. *Ibid.*

sive system of headworks of any canal system in India.

There were $204\frac{3}{4}$ miles of canals which were navigable in addition to carrying water for irrigation (the detailed description of each of the Orissa canals is given in the Appendix). These canals communicated with tidal waters at five points of which the more important were the blocks of Alba and Jamboo. The former gave the most direct route to the port of Chandbali, and thence by sea-going steamers to Calcutta. The latter opened into tidal creeks leading to the False Point harbour.¹⁰⁹

Dudhai Branch Canal

Though the construction estimate of Orissa project was closed, the Superintending Engineer, Orissa circle, felt the necessity of submitting an estimate for another small project. In October 1899, he submitted plans and estimates for the proposed canalization of a natural channel known as Dudhai nala, amounting to Rs. 85,000.

The object of this scheme was to convey water from the Brahmani river to irrigate the spring rice known locally as *dalwa* in the lower part of the tract of the country between the Brahmani and Kharsua rivers. The area suitable for *dalwa* irrigation was estimated at 8,000 acres. The net annual return was calculated at Rs. 7,000 or a little more than 8 per cent on the total estimated outlay. The proposal having been approved by Government, the plans and estimates were returned to the Superintending Engineer for completion. Immediate steps were taken for the acquisition of natural channels which were to be used.¹¹⁰

On completion, it was to irrigate about 12,000 acres of spring rice between the Brahmani and the Kharsua. It took off from the north end of the Brahmani weir. Its length was $46\frac{1}{2}$ miles. It was not available for navigation and its water was little used for irrigation except in years of very bad rainfall.¹¹¹

109. RAB, 1895-96, p. 35.

110. *Ibid*, 1899-1900, pp. 38-39.

111. J. F. W. James, Final Report on the Revision Settlement of Orissa, 1906-1912, p. 16.

The Orissa Coast Canal

The Orissa coast canal was commenced in 1880. It was partially opened for traffic in 1885 and entirely in 1887. The sanctioned estimate amounted to Rs. 44,74,941.¹¹²

It connected the river Hooghly at Geonkhali, 45 miles from Calcutta, with the Matai at Charbatia. It ran along the seaface at a distance varying between 2 and 10 miles from the coast.¹¹³ Its length in Orissa was 92 miles. It contained 8 locks and was divided into 4 ranges, namely (1) canal between the Rasalpur and Subarnarekha rivers, 30 miles in length; (2) canal connecting the Subarnarekha with Panchpara, 18 miles in length; (3) canal between Panchpara and the Burabalang river, 6 miles in length; (4) canal connecting the Burabalang with the Matai, 38 miles in length.¹¹⁴ The first range was fed from the Subarnarekha river, the second from the Saratha, the third from the second range by means of a siphon pipe in the bed of the Panchpara, and the fourth or the lowest from the Kansbans and Jamka inlets. The last three ranges had inlets and escapes to allow of the admission and exit of flood water, which thus passed across the canal to the sea.¹¹⁵

Its construction was undertaken because it was considered that it would be valuable as a protection against famine and remunerative as a trade route. It was anticipated that nearly all the import and export trade of Orissa would pass along it, and that it would yield a revenue of over 2½ lakhs.

But these expectations were not fulfilled, and the canal became a dead loss to Government. After the opening of Railways in 1896, it was no longer valuable as a famine protective work. Being fed by tidal waters, it was of no use for purposes of irrigation and did not benefit agriculture. It had been a

112. RAB, 1895-96, p. 36.

113. L. S. S. O'Malley, *Bengal District Gazetteer*, (Balasore), pp. 105-106.

114. C. E. Backland, *Bengal under the Lieutenant-Governors*, Vol. 11, p. 732.

115. L. S. S. O'Malley, *Bengal District Gazetteer*, (Balasore), pp. 105-106.

failure as a commercial enterprise. By 1905 apart from defraying the interest on capital expenditure, it had not paid for its working expenses. It was serviceable only for navigation, but with the opening of railway, passengers ceased to use the route. The steamer service between Balasore and Chandbali which used to ply along it was discontinued consequently.

The country boat traffic, however, was steadily increasing. The revenue derived from it greatly improved. The canal was also valuable as a protective work for keeping out the sea-water. Even when it was still under construction, it rendered great service to the Balasore district, south of the Budhabalang by receiving and breaking the main force of the storm waves which accompanied the cyclones in 1885 and 1887 and thus protecting the country inside Chandbali.¹¹⁶

Value of Orissa Canals

The average area irrigated by the canals had been as follows:¹¹⁷

Triennial period	Average annually irrigated (acres)		
	Kharif	Rabi	Total
1890-91 to 1892-93	169,383	3,598	172,981
1893-94 to 1895-96	110,211	4,971	115,182
1896-97 to 1898-99	183,364	8,468	191,832
1899-00 to 1901-02	198,248	3,707	201,955
1902-03 to 1904-05	213,745	5,331	219,076

The financial results of the canals had been very disappointing. The canal revenues consisted of water-rates and navigation receipts. The average gross revenue from these sources during the five years ending 1900-01 had been Rs. 4,67,913. The average annual working expenses for the same period was Rs. 4,91,830. Thus the working expenses had not been fully covered. Of the revenue, Rs. 2,77,756 or 59 per cent, had been on account of water-rate, Rs. 1,63,240 or 35 per cent on

116. L. S. S. O'Malley, *Bengal District Gazetteer*, (Balasore), pp. 105-106.

117. J. F. W. James, Final Report on the Revision Settlement of Orissa, 1906-12, p. 117.

account of navigation dues, and the rest on account of minor receipts. The maximum water-rate in any one year had been Rs. 2,87,812.¹¹⁸

The average gross receipts during the triennial period ending 1905 was Rs. 4,06,319 and the working expenses, Rs. 3,70,684. The net receipts stood at Rs. 35,635. Receipts thus barely exceeded working expenses. It was felt that there was no probability that net receipts would ever afford any appreciable return on the capital invested.¹¹⁹

Receipts from tolls had shown a steady decline since the Bengal-Nagpur Railway was opened. The average amount received per annum had been as follows:

<i>Triennial ending</i>		<i>Amount</i>
		<i>Rs.</i>
March 1896	..	1,42,497
March 1899	..	1,92,676
March 1902	..	1,05,442
March 1905	..	69,071

The Indian Irrigation Commission remarked that there was no likelihood of navigation ever proving of much value.¹²⁰

It was expected that there might be a large increase of land revenue on account of the increased productiveness due to irrigation. But the hopes were dispelled in the settlement of 1897. S. L. Maddox, who surveyed and settled the province of Orissa between 1890 and 1900 stated: "Elsewhere in India the rents of irrigated land are sometimes two or three times those of unirrigated land. Here in Orissa, despite the increased crop and the insurance against drought, the tenant declines to pay a higher rent, and will only pay a very small water-rate for the privilege of irrigation; nor has it been possible to increase the rate at settlement by more than four annas.

118. Report of the Indian Irrigation Commission, 1901-1903, Part II, para 384.

119. J. F. W. James, Final Report on the Revision Settlement of Orissa, 1906-1912, pp. 17-18.

120. Report of the Indian Irrigation Commission, 1901-1903, Part II, para. 389.

It must be inferred then that the profit due to irrigation has been very small.”¹²¹

It must not, however, be assumed that these canals were of no value to Orissa. J. F. W. James, who was settlement officer of Orissa between 1906 and 1912, said: “Outside the irrigated area in Cuttack district the average crop in a good year is probably little less than that obtained on irrigated lands. The great advantage of irrigation is that it ensures the *raiyat* against those periodic losses from drought which are inevitable in the rest of Orissa. In a year of unseasonable rainfall such as 1907, the *raiyat* on the irrigated area scores very heavily, since he obtains a normal crop and the price is greatly enhanced.”¹²² On the value of canals to Orissa, the Indian Irrigation Commission wrote: “The value of the protection from the floods afforded by the embankments is even greater than that of the protection from drought which is afforded by the canals. Were so terrible a calamity to befall Orissa again as that of 1865, the province would be in a far better position to withstand it. It is true that the irrigation is almost entirely confined to the Cuttack district. It hardly extends to Balasore in the north, and not at all to Puri in the south. But it is certain that the assumed produce of 250,000 acres in the heart of the province, would largely influence the grain markets right and left. Cuttack is now connected by two navigable canals with False Point, one of the very few good anchorages on the whole coast of India. It is connected with Calcutta by another canal which touches the sea port of Chandballi; while the railway places like Calcutta within a few hours' reach of Balasore, Cuttack and Puri.”¹²³

Thus there was little hope of these canals becoming remunerative, but on the other hand the works were of great value to Orissa.

121. S. L. Maddox, Final Report on the Survey and Settlement of the Province of Orissa, 1890-1900, Vol. I.

122. J. F. W. James, Final Report on the Revision Settlement of Orissa, 1906-1912, p. 18.

123. Report of the Indian Irrigation Commission of 1901-1903, Part II, para 390.

CHAPTER VII

Education

Education under the East India Company

When the British first acquired Orissa in 1803, there was scarcely a single native in Government employment. The language of the court and public offices was Persian. In 1805 orders were passed that in all written communications with the inhabitants of the province, the subject should be written in Oriya as well as in Persian. This order necessitated the employment of Oriya scribes. They were skilful enough with their 'iron pen' and bundle of palm-leaves. But they proved helpless when required to write on paper with an ordinary pen. They were said to have been slow in acquiring any facility in the new method of writing, ignorant of business in general and especially of the new English method of revenue accounts.¹

All the ministerial appointments fell consequently in the hands of Bengali clerks. They left their homes in Bengal, brought their families with them, settled in the province and became naturalised Oriyas. In 1821 the Magistrate of Cuttack regretfully reported: "Scarcely a single real Oriya received a salary of more than ten rupees per mensem, but several were naturalised Bengalis or Musalmans. I always give a preference to Oriyas, but at this moment I scarcely know a single Oriya possessing qualifications to fit him for being a common scribe."²

1. L. S. S. O'Malley, *Bengal District Gazetteer* (Puri), pp. 257-258.

2. *Ibid*, p. 258.

Until 1838 no school worthy of name existed except in two or three places within the circle of missionary influence. Sir William Hunter wrote:

"Throughout the length and breadth of the province with its population of two and a half million of souls, all was darkness and superstition. Here and there, indeed a *pandit* taught a few lads Sanskrit in a corner of some rich landholder's mansion, and the larger villages had a sort of hedge-school, where half a dozen boys squatted with the master on the ground, forming the alphabet in the dust and repeating the multiplication table in a parrot-like singsong. Anyone who could write a sentence or two on a palm-leaf passed for a man of letters."³

During the Governor-Generalship of Lord William Bentinck, English education in India received a great impetus. The long controversy between the Orientalists and the Anglicists was at length settled in 1835, when the Government of Lord William Bentinck decided in favour of English as a medium of instruction.⁴

As a result, from 1835 to 1854, the energies of the Government of Bengal were directed towards higher and secondary education. Nothing was done to diffuse education among the masses through primary or elementary schools.⁵

It was in 1838 that for the first time, the Government became interested in education in Orissa. The efforts of the Government began with the establishment of English schools or *zilla* schools. An English school and a Sanskrit school were opened at Puri in 1838. But these institutions proved altogether inadequate to serve any real purpose. In 1841, Government opened a higher class English school at Cuttack. Through a good deal of hardship it survived as the principal seat of education in the province. In 1853 an English school

3. W. W. Hunter, *History of Orissa*, Vol II, p. 145.

4. L. S. S. O'Malley, *History of Bengal, Bihar and Orissa under British rule*, Chapter XXVI.

5. *Ibid.*

was founded at Balasore while the one at Puri was resuscitated.

In 1844 the vernacular education received a new impetus by Lord Hardinge's resolution of 11 October of that year. During his administration two vernacular schools were established in Orissa, one in 1845 and another in 1848. By 1854 the vernacular schools of different grades numbered 8 in Orissa.⁶

In 1854, the modern educational system was initiated by the famous Wood's Despatch. The general policy of the Government of Bengal was laid down that year. Hitherto public funds had been devoted almost exclusively to Government institutions. The goal was henceforward to be the diffusion of education by private efforts. Grants were to be given to private individuals or local committees, provided their schools were adequately maintained. They were to be an inducement to bring private schools under Government inspection and so keep up a proper standard. In 1855 the Education Department of Government of Bengal was created to carry out this policy efficiently. Gordon Young of the civil service was the first Director of Public Instruction.⁷

On the eve of the transfer of powers to the Crown in 1858, the education of Orissa was in an extremely backward condition, more backward than in any other division of Bengal. English education had become firmly established in Bengal and Bihar but not in Orissa. Fifty-five years after the Company's rule the number of schools throughout Orissa had to be counted by units. The following statement shows the nature, the number, and distribution of the schools under the inspection of Government in Orissa in 1858.⁸

At that time there were about 600 employees in all the offices of Orissa. Of that number, 120 were hereditary *Kanungos*, 216 were Oriyas, while 224 were Bengalis and the rest, Muslims.⁹

6. W. W. Hunter, *History of Orissa*, Vol. II, pp. 145-146.

7. L. S. S. O'Malley, *History of Bengal, Bihar and Orissa under British Rule*, Chapter XXVI.

8. P.I. Report, 1858-59, Inspector of Schools, South West Bengal, to Director of Public Instruction, No. 277, 1 July 1859.

9. *Calcutta Review*, Vol. 38, "Vernacular Education in Orissa."

Zilla schools	No. of pupils	Govt. vernacular schools	No. of vernacular pupils	Aided vernacular school	No. of Anglo- vernacular pupils	Aided vernacular schools	No. of pupils	Total No. of schools	Total No. of pupils	
Cuttack	1	103	10	238	0	0	3	112	14	453
Balasore	1	16	2	62	1	41	2	65	6	184
Puri	1	84	6	210	0	0	2	55	9	349

Progress of Education, 1858-66

Immediately after the transfer of power, some measures were taken towards the progress of vernacular education. The educational authorities realised how lamentable was the backwardness of education in Orissa.

By the Government order of 18 February 1860, the funds available from the abolition of aided schools, could be transferred to the establishment of new schools. The number of aided schools was thereby guaranteed as there were always applications for grants-in-aid. Previous to this order there was an apprehension that after a few years the majority of the aided vernacular schools would cease to exist.¹⁰

The impulse, as elsewhere applied by means of vernacular scholarships, was tried in Orissa in 1863.¹¹ Those scholarships excited a very keen competition and gave a decided incentive to vernacular education.¹²

In 1864 the Raja of Balarampur was permitted to furnish funds for a Sanskrit teachership in Puri *Zilla School*.¹³ The Sanskrit department was opened on 20 November 1865 and was maintained entirely at the cost of the Raja. Before 30 April 1866, it had obtained twenty pupils. They belonged without exception to the priestly families.¹⁴

The most notable event connected with the vernacular education during the period was the opening of a training class at Cuttack in 1863 under the superintendence of the Deputy Inspector of Puri. Its establishment cost Rs. 60 of which Rs. 30 was paid to two pandits, one Bengali, and one Oriya. The rest of the amount was spent for the trainees in the form of stipends. In May 1864, there were 23 students

10. P. I. Report, 1859-60, Inspector of Schools, South-West Division to Director of Public Instruction, 30 June 1860.

11. BGP (Education), March 1863, No. 83, Govt. of Bengal to Govt. of India, No. 1207, 17 March 1863.

12. P.I. Report, 1863-64, Inspector of Schools, South-West Division to Director of Public Instruction, 30 May 1864.

13. *Ibid.*, 1864-65, p. 202.

14. *Ibid.*, 1865-66 p. 233.

under training.¹⁵ On the completion of their study they were appointed in elementary village schools.¹⁶

In 1866 Orissa was visited by a disastrous famine. T. E. Ravenshaw, who was then Commissioner of Orissa, remarked that education in Orissa was more backward than any other province of India of equal importance, although it had been under British administration since the beginning of the century. There were in 1867 in all 77 schools of all grades and the number of pupils was 3,536.¹⁷

The backward state of education was mainly due to the indifference of the Company's Government. In a memorandum dated 21 September 1859, G. F. Cockburn, the Commissioner of Orissa, recommended the introduction of measures for the speedy progress of education. To him the following factors appeared as responsible for the backwardness of Orissa in the field of education.

First, Orissa was freed from the long reign of oppression and misrule under the Maratha Government in 1803. Thus it came under the British rule many years after other parts of Bengal had experienced the beneficial effects of British administration.

Secondly, there was total absence of any attempt on the part of the government to provide the people with the means of education, even though vast sums were annually expended in other parts of Bengal. As a result Oriyas could not compete for official patronage on fair terms even in their own country.

Finally, no official encouragement was given to the people by the officers of the Government. Though they knew nothing of the Bengali language themselves, they used to bring with them from Bengal many Bengali employees. With the help of the latter it was found more convenient to carry on the business of administration.¹⁸

15. P.I. Reports, 1864-65, p. 273.

16. *Ibid.*, p. 202.

17. BGP (Education), June 1868, No. 60, Commissioner of Orissa to Government of Bengal, No. 523, 20 September 1867.

18. *Ibid.*, October 1860, No. 116, Memorandum by G. F. Cockburn, the Commissioner of Orissa, 21 September 1859.

On the negligence of the Government to develop education, Dr. E. Roer, the Inspector of Schools, South-West Division, said: "It is to be regretted that no new educational operations can be carried out, for Orissa is at a disadvantage, compared with other districts. For the whole of Orissa, with an area of 52,995 square miles and a population of 4,534,813 souls, less is expended than for the small district of Howrah, with an area of 800 square miles, and a population of 750,000 souls....."¹⁹

Most of the officers in charge of the administration of Orissa admitted that the efforts of the Government had been too feeble to provide the people with facilities for education. The result was that education in Orissa was in its infancy even after a long period of British rule.

This misfortune showed itself in a scarcity of intelligent and reliable persons, which most seriously obstructed work of all kinds. The demand for clerks and overseers, for the ordinary departments, for the public works department and also for the extensive works of the Irrigation Company had been enormous. But an indigenous supply of competent employees could not be obtained except for the most ordinary routine tasks. Foreign hands, Eurasians, Bengali and Telugu, had to be recruited at a greater cost. Under the circumstances every official in Orissa had the occasion to regret the almost entire absence of education among the people. They expressed the feeling that Government must pay special attention to the spread of education in Orissa."²⁰

In the terrible famine of 1866 it was well-known how the want of educated persons aggravated the sufferings of the people of Orissa. T. E. Ravenshaw wrote: "No other province in the Presidency was so deficient of intelligent and public spirited residents who would appreciate the facts bearing on the prospects and means of the people, and who could give practi-

19. P.I. Report, 1860-61, Inspector of Schools, South-West Division to Director of Public Instruction, 12 March 1861.

20. BGP (Education), October 1860, No. 30, Memorandum of Commissioner of Orissa, No. 413, 17 September 1859.

cal information to the authorities as would have been the case in any district of Bengal proper, and in carrying out remedial measures."²¹ Government was well aware of the risk of a general want of the enlightenment of the people. After the famine, a policy of progress was adopted for the material and moral improvement of the people of Orissa.²²

PRIMARY EDUCATION

Village Pathshala System of Bhudeb Mukherjee

There existed numerous *pathshalas* or elementary village schools in the length and breadth of the country. On the eve of the British annexation of Orissa, most of them did not conform to the standard prescribed by the education department. They were never inspected by the departmental authorities. The mode of teaching of village school masters was primitive and in some respects clumsy.

After the assumption of powers by the Crown, efforts were made to develop village *pathshalas*, to bring them under a prescribed standard and to maintain them. Thus primary education began to spread in Orissa.

The lack of well-trained teachers was keenly felt in this endeavour. In 1863 a training school was opened at Cuttack for training teachers for elementary village schools. From the constitution of that school much could not be expected and much did not result. On account of low salaries, only inferior teachers could be procured for receiving training. As no practising school was attached to it, they could not practically learn the art of teaching. Consequently, they were not fit enough to take charge of a school.

In 1867, R. L. Martin, the Inspector of Schools, South-West Division, made enquiries regarding the state of vernacular education. He regretted that nothing was done to improve the *pathshalas* which were very numerous and felt the need of

21. *Ibid*, June 1868, No. 60, Commissioner of Orissa to Government of Bengal, No. 523, 20 September 1867.

22. *Calcutta Review*, Vol. XLIV, 1867. "Orissa Past and Present."

introducing the village *pathshala* scheme of Babu Bhudeb Mukherjee, also called the Normal School System.²³ The object of the system was to improve the quality of instruction of indigenous schools by training their teachers, and the small financial assistance promised, was merely intended to induce the teachers to undergo the training course.²⁴ He suggested that a normal school should be established for the purpose of training the teachers of elementary village schools of Orissa.²⁵

After the approval of the Government of Bengal, the Cuttack Training School was thoroughly reorganised during 1869 in accordance with the scheme of Bhudeb Mukherjee. The school had two departments, one for training *pandits*, the other for training *gurus*. Both departments were placed under a Superintendent on Rs. 150 a month. But for each department there was a separate staff of teachers. In the *pandit* department, there were four teachers drawing respectively Rs. 50, 30, 20 and 15. In the *guru* training department, there were three teachers on salaries of respectively Rs. 50, 20 and 12. In the higher department, there were 63 students being trained as *pandits*. To 14 of that number stipends of Rs. 6 a month were paid; 22 received stipends of Rs. 5 a month; 14 received stipends of Rs. 4 a month; 1 received free studentship and 12 were vernacular scholars. In the lower department, there were 58 *gurus* under training, each receiving an allowance of Rs. 5 a month. In the *pandit* training department, teachers were expected to undergo training for one year only, while in the *guru* training department, there was a three years' course. Oriya was the only language taught in the *guru* department. In the *pandit* department, three languages were taught, viz., Bengali, Oriya and Sanskrit. The school was expected to have an important bearing upon the education of the masses who were in

23. BGP (Education), May 1868, No. 52, Inspector of Schools, South-West Division to Director of Public Instruction, No. 633, 9 August 1867.

24. P.I. Report, 1862-63, p. 29.

25. BGP (Education), May 1868, No. 52, Inspector of Schools, South-West Division to Director of Public Instruction, 9 August 1867.

the habit of receiving their only instruction from the *abadhans* of village schools.²⁶

From the commencement it promised to be a useful institution. The Superintendent of the school reported :

"The school is held in high estimation by the natives here, and has excited the curiosity of the general public. Not a day passes but at least a couple of men of various stations of life come to visit it. The more thoughtful among them, being pleased with the way in which their native *abadhans* are being held into the various courses of instruction, have strongly expressed their opinions to the effect that this institution is of a kind that will do immense good to the country. The Uriya generally call it by the name of *Dharma* school."²⁷

Campbell's Scheme of Primary Education

The education of the masses did not receive a real impetus till 1872 when Sir George Campbell, the Lieutenant-Governor, took up the question and gave practical proof of his declaration that the great object was to extend primary education among the masses of the people.²⁸

In 1872, the indigenous *pathshalas* were numerous. Writing on those uninspected primary schools, the Deputy Inspector of Balasore, said :

"In a length of time extending over 10 or 12 years the children learn to read, write, and to know a little of simple arithmetic. The method of imparting instruction by the teacher instead of developing the mental qualities of the children, invariably spoils where it cannot destroy those qualities. The relation of an *abadhan* to his pupils, instead of being that of a father to a child, is made to be that of a task-master to a slave, the endeavour of the one being as much to scourge as is that of the other to deceive and avoid. When a poor boy has not been able to understand something (because it is difficult) or has

26. P.I. Report, 1868-69, p. 115.

27. *Ibid.*

28. L. S. S. O'Malley, *History of Bengal, Bihar and Orissa under British Rule*, p. 761.

not been able to commit a Sanskrit "slok" to memory, woe unto him; he is lashed mercilessly. The influence of an indigenous teacher is very vitiating, and it should be our endeavour to reclaim these professional enemies of the country."²⁹

Sir George Campbell made a substantial attempt to establish a good system of primary education of the simplest character. The main features of his scheme were as follows:

The money granted should be used to encourage and develop in the villages the "reading, writing, arithmetic in the real indigenous language and character of each province." The Lieutenant-Governor did not think it necessary to employ highly trained masters on higher salaries. He rather wanted to give money as a grant-in-aid to "men of the purely indigenous school master class." But each was required to keep up a school according to local standards, and submit it to inspection and examination. For such purposes an allowance of Rs. 2 or Rs. 3 per month was considered sufficient, especially in places where the village or landlord or other party interested was willing to make up the remainder of the necessary Rs. 5 *pathshala* grant. It was hoped that in all wards' estates the court of wards would be able to double any share of the grant that might be allotted for schools in those estates. Where no such aid was available, and where the people were poor and backward, a larger government grant might be given, but no grant to a village school was to exceed Rs. 5 per month. With such a basis, and some receipts from fees or gratuities, a village school was to be established. Those places should be selected where the need was the greatest, and where the people were ready to help themselves to some extent. The places already provided with schools should be left to themselves for some time, or to be assisted in a moderate degree on certain conditions. In places where immediate assistance was not available, the maximum of Rs. 5 per month might be given on the following conditions. That a municipal organization might be shortly expected there. The leading men of that area should be willing to contribute a share when a Municipality was con-

stituted. The scheme emphasized: "Of all things must be avoided a great which may be used to turn out clerks and attorneys; education of that kind is separately provided for"³⁰ In brief, the aim of the scheme was the extension of primary instruction by subsidizing village *pathshalas* by monthly grants.³¹

Campbell's scheme also provided for the creation of primary school scholarships. Formerly, Government scholarships were given to boys who did well at the university examination, and at minor examinations held by the education department in each district. No scholarships were set aside for boys at primary schools (*pathshalas*). It rarely happened that a *pathshala* boy could gain a scholarship and so secure the means of prosecuting his studies beyond that course. By the orders of 1872 a sum of Rs. 29,520 were granted annually for the whole of Bengal to provide 410 *pathshala* scholarships. The rate was Rs. 3 a month. It was tenable for two years, at any middle class English or vernacular school. A certain number of these scholarships were allotted to each district, in proportion to the number of primary schools. It was prescribed that with the development of primary school scheme, a larger share of the scholarship grant would be allotted to *pathshala* scholarships.³²

The scheme also provided for the agency by which the new primary school grant could be spent to the best advantage. It was felt that an Inspector of schools, with a circle of ten districts, could hardly direct and manage the village schools of his whole circle. Further, an Inspector could not have influence over or know the zamindars, towns-folk, and villagers, without whose co-operation no effectual reforms of this kind could be carried out. Therefore it seemed best to place the administration of the primary school in the hands of the District Magistrate and Sub-Divisional Officers. They were to be aided and advised by regularly constituted district school committees. They were to improve existing village schools and establish

30. P.I. Report, 1872-73, p. 1.

31. *Ibid.*

32. RAB, 1872-73, pp. 156-160.

new ones by giving a monthly grant and to evoke the liberality of landholders or others.³³

When the duty of extending and promoting primary education was thus made over to the District Magistrates who already held in their hands so many other threads of district administration, it became necessary to allow each district chief a special agency to help him in his educational duties. There were already in Bengal a certain number of Deputy Inspectors of schools. Their duty was to inspect aided schools and *pathshalas*. There were two Deputy Inspectors in Orissa. It was arranged that to the headquarters of each district should be attached a well-paid Deputy Inspector, who would be quite competent to inspect middle class schools as well as *pathshalas*. He would be the right hand of the district officer and of the District Committee in educational matters. In view of the largeness of most of the Bengal districts, the Lieutenant-Governor attached a Sub-Inspector to each sub-division of a district. Their function was to administer the educational funds and to inspect the primary schools of the sub-division, under the direction of the Sub-divisional Officer.

Then again, there was a large class of indigenous school-masters. Their modes of teaching were primitive and in some respects clumsy. The object was not only to extend, but also to improve the primary schools of the country. To realise this end, it was necessary to organise some training for the village school-masters. The scheme, therefore, provided for the establishment of a high class normal school, costing on the average Rs. 6,500 a year, at the headquarters of each commissionership, and a second class normal school, costing about Rs. 3,000 a year, at the headquarters of each large district, and a third class normal school, costing Rs. 2,000 a year, at the headquarters of each small district. The first class normal school was to impart training to the teachers for middle vernacular as well as for primary schools. The second and third class normal schools were to train teachers for primary schools only. Nearly half the cost of these normal schools was covered by stipends to the teachers under training.³⁴

33. RAB, 1872-73, pp. 156-160.

34. *Ibid.*

Operation of Campbell's Scheme

The primary education scheme sketched above came into operation towards the close of 1872. A commencement was made in subsidizing village schools by bringing them under control. The Commissioner of Orissa reported that the system had been initiated with very good results. He did not, however, press for hasty expenditure of the grant as he was of opinion "that changes require to be slow to be permanent."³⁵ The beneficent policy of the Government in making education more practicable obtained cordial approval of the people.³⁶ Before the end of 1872, in Balasore and Puri districts 213 new *pathshalas* were brought under control, with an attendance of 4,471 pupils, but little was done in Cuttack district.³⁷

In pursuance of the new scheme, the inspecting agency was strengthened. In 1873 a Joint-Inspector of schools had been provided for Orissa to assist the Inspector of schools, Western Circle in controlling the educational affairs of the division.³⁸ In 1875 Orissa division was separated from Burdwan division and placed under the independent charge of the Joint-Inspector. Instead of two Deputy Inspectors three Deputy Inspectors were provided for three districts. In addition, a staff of 10 Sub-Inspectors were added to the controlling agency by 1875. Thus, the primary education system was brought under more careful and systematic attention.³⁹

In accordance with the same scheme, two normal schools were established in Balasore and Puri. In 1874 after visiting a few *pathshalas* in Balasore and Puri districts, the Joint-Inspector declared the normal schools as perfectly successful. *Pathshalas* in charge of *abadhans* who had received four or five months' training in a normal school, bore a striking contrast to the *pathshalas* in charge of men who had no such training.⁴⁰

35. RAO, 1872-73, pp. 500-501.

36. *Ibid.*

37. P.I. Report, 1872-73, p. 4.

38. RAO, 1872-73, p. 500.

39. P.I. Report, 1875-76, p. 109,

40. *Ibid.*, 1873-74, p. 62,

In carrying out the new scheme, much opposition was encountered. The attempt to bring indigenous *pathshalas* under subsidy and supervision gave rise to misconception on the part of the people. Prejudicial rumours were in circulation regarding the designs of the Government.⁴¹ The Deputy Magistrate of Kendrapara reported:

"Although much has been said, explained the views of government in having *chatsalis* in the villages, but they do not understand why should Government take so much interest in their education and pay a monthly stipend to *abadhans*. In many instances, the people have run away, *abadhans* closed their *chatsalis*, sent the boys away, or secreted them on the sight of Sub-Inspectors. No sooner they see him, they call out "padree is coming", and are afraid to meet him. They think this a preliminary taken by Government to make all of one caste, that is Christian, and this is one of the reasons that several of *chatsalis*, to the *abadhans* of which monthly stipends were promised and paid, have been broken up."⁴²

From his personal experience, the Collector of Cuttack fully agreed with these views. One *abadhan* who had been trained in the *guru*-training class in the normal school, was rejected by the villagers on returning to his village. On enquiry, it was found that the *Brahmins* of the village had incited the villagers to reject this man on the ground that he had become a Christian. The same difficulties were noticed here and there in Puri and Balasore. But nowhere active hostilities had been displayed. In a great measure the difficulties were overcome by the tact and energy of the officers employed.⁴³

In spite of the initial opposition, it was declared on all hands in course of time that the progress of primary education was highly satisfactory. In 1872 out of 4,364 *pathshalas* only 182 with 1,710 pupils were subsidized.⁴⁴ In 1874 the number of subsidized *pathshalas* rose to 832 with 15,497 children.⁴⁵ In

41. RAB, 1872-73, p. 428.

42. RAO, 1873-74, para. 96.

43. *Ibid.*

44. P.I. Report, 1873-74, p. 20.

45. RAO, 1873-74, para. 96.

1875, there were 868 aided *pathshalas* with 16,436 pupils.⁴⁶

There was no doubt that newly aided *pathshalas* introduced improvement over the old indigenous *pathshalas* in several respects. Unaided *pathshalas* were for the most part carried on in dark, close, unhealthy rooms, had no fixed scheme of study, were under no discipline and aimed at no progress. Aided *pathshalas*, if the conditions of the Government aid had been fulfilled, were properly housed, aimed at a fixed standard of instruction and were under the supervision of an inspecting officer. In the latter case the *abadhan* felt an obligation to come to the school daily, while in the former the *abadhan* feared no superior control and left his pupils for days together.⁴⁷ The attendance at aided *pathshalas* was considerably larger than what it was before the aid was offered.

On the merits of the new scheme of primary education, the Joint-Inspector said:

"Most of the boys now under instruction in Orissa aided *pathshala* might have received education of some kind or other if no *pathshala* grant had been sanctioned, but the expenditure of public money under the new system is more than compensated by the permanency it has given, and the progress and discipline it has introduced into primary schools".⁴⁸

Comparing the improvement shown by the three districts, the Joint-Inspector placed Balasore first and Cuttack last. Balasore stood first because it had the largest number of trained *gurus*. Out of a total of 189, 155 *gurus* went through some kind of training. In Cuttack, on the other hand, 274 out of 435 *gurus* received no training.⁴⁹ In Balasore those who did not pass the certificate examination were turned out. But in Cuttack and puri *abadhans* who failed to pass the test were allowed to return to their *pathshalas*.⁵⁰

46. P.I. Report, 1875-76, para. 170.

47. *Ibid.*

48. *Ibid.*, para 172.

49. *Ibid.*, para. 173.

50. *Ibid.*, para. 176.

Though the wisdom of spending large sums of money in subsidizing *pathshalas* was recognised, yet the new scheme was not free from drawbacks.

The greatest drawback was that the people refused to pay their usual fees to those *gurus* who received aid from Government. The Balasore District Committee wrote: "The people say they do not see why they should pay a man who receives a salary from Government for the purpose." The Cuttack Committee made the same statement: "In practice the amount of our grant cannot be said to be so much addition to the *abadhan's* former gains, for in the greater portion of cases as soon as a teacher touches anything from Government, his employers lower their remuneration."⁵¹ The Commissioner of Orissa brought this to the notice of the Government of Bengal. Sir Richard Temple, the Lieutenant-Governor, sympathised with the *gurus*. He said: "The foundation of improvement in the village school must be the small grant-in-aid which is not to be considered as a salary for the rustic school master, but as an addition to the fees obtained either from the teachers or by subscription among the villagers..... The villagers must be made to understand that the object of Government is not to supersede but to supplement their private efforts."⁵²

Another defect was that the system aimed at quantity, not quality. Hopkins, the Inspector of Schools, remarked: "Much remains to be done to improve these *pathshalas*. The system of instruction is primitive; beyond writing and arithmetic, little is taught. The Uriya system of mental arithmetic is not so good, as the common *subhankari* method practised in Bengal, nor is it so well taught..... Reading and spelling are very inferior....."⁵³

In order to remove the second defect, an improvement in the curriculum of the primary school was effected. A course of study for primary school was prescribed in April 1875. It laid down a standard for primary scholarship examination. It

51. P.I. Report, 1873-74, pp. 20-21.

52. RAB, 1874-75, p. 437.

53. Ibid., 1873-74, p. 22.

was decided that the standard would be gradually raised as the *pathshalas* improved.⁵⁴

Introduction of Midnapur System

The outcry that the villagers habitually reduced their fees in proportion to the amount of stipend became louder day by day.⁵⁵ In order to prevent this evil, it was decided to adopt the so-called Midnapur system. It was also called the system of payment by result. The following considerations led to this decision.

When the aid was given, not in the form of monthly stipends, but as a distinct reward of success, coming once a year, the people would have much less expense to retrench their payments.⁵⁶ Payment by result was also cheaper than the system of stipends. This can be gauged from the following observations of the Joint-Inspector of schools: "While the average rate of aid to each *pathshala* in Bengal was about Rs. 25 a year, little of which was thought to find its way to the pocket of the *guru*, in Midnapore the average yearly rate was Rs. 7 (in sums varying from Rs. 2 or Rs. 3 to Rs. 50), which at any rate was a clear gain to him."⁵⁷

In March 1877, the Midnapur system of dealing with primary education was introduced into Balasore district and in November 1877 into Cuttack district.⁵⁸

This was a system of aiding schools in proportion to the quality and quantity of their work as ascertained by the results achieved by their pupils at formal examinations. It naturally involved the institution of tests which provided a basis upon which the rewards payable to *gurus* might be equitably calculated. The institution of tests also enabled the pupils to compete for the scholarships and prizes placed within their reach.

54. P.I. Report, 1875-76, para. 200.

55 *Ibid.*, 1873-74, pp. 20-21.

56. Report of the Indian Education Commission, 1882, p. 101.

57. *Ibid.*

58. RAO, 1876-77, para. 103.

Every district was, accordingly marked out, for convenience of examination, into circles and sub-circles. Sub-Inspectors used to conduct pass examination each in his own circle, under the general control of a Deputy Inspector. The examinations were two, a sub-centre examination for determining the rewards earned by *gurus*, and a central (or prize) examination for adjudicating scholarships and prizes to the most deserving pupils.

The examinations at the sub-centres were partly oral and partly written. The subjects of examinations were (1) Reading and writing, (2) Arithmetic, written and mental, (3) Zamin-dari and *Mahajani* accounts, and, (4) Dictation and explanation of passages. The central examination was held at a convenient place and required a more advanced knowledge of the above subjects to which was added Mensuration. The reward paid to the teacher for each pupil who passed the former examination was one rupee, and for each who passed the latter, eight annas. One rupee was the reward for each pupil who passed in Accounts. For satisfying the examiners in Dictation and Explanation of passages, the reward was Rs. 2 to pupils and teachers alike.⁵⁹

By 1878 the system proved to be a complete success. In 1876, there were 794 primary schools. The number rose to 2,091 in 1877,⁶⁰ and to 4,569 with 51,329 pupils in 1878.⁶¹ The Joint-Inspector of schools said that the system of payment by result had passed beyond the experimental stage.⁶²

It was introduced into the *sudder* sub-division of Puri district in 1879 and in Khurda, too.⁶³ In 1880 there were 5,464 aided primaries with 61,654 pupils in Orissa and unaided schools were 1,272 with 12,891 pupils.⁶⁴

59. Herbert Alick Stark, *Vernacular Education in Bengal from 1813 to 1912*, pp. 95-96.

60. RAO, 1876-77, para. 102.

61. *Ibid.*, 1878-79, para. 157.

62. P.I. Report, 1878-79, p. 19.

63. *Ibid.*, 1879-80, p. 47.

64. *Ibid.*, 1880-81, p. 72.

Regarding the success of the payment by results system in Orissa, Radha Nath Roy, the Joint-Inspector of Orissa, said :

"The success of the payment by results system, though generally attributed to pecuniary rewards which are annually distributed to *pathshalas* in the primary examinations, may be traced deeper to an inherent principle of human nature, emulation, which it had turned to account in such a manner as no educational system ever did before. The system is not essentially a creative one, presupposing as it does the existence of an indigenous mechanism of education, which it has galvanized into new life by infusing into it a healthy spirit of competition. Indigenous education, as it heretofore existed, had very little in common with an organised system. Each *pathshala* stood by itself, a disjointed and isolated unit in the vast network of schools scattered all over Orissa without a common principle to animate the whole mass. This element of unity has been supplied by the scheme of payment by results, which is indeed one replete with interest in the eye of the educationist. I have watched its progress carefully, and it has been to me an agreeable surprise to find *Abadhans* who had had no sort of school training whatever, competing on equal terms with those who had been regularly trained in the Normal school and sometimes beating them in the race. The people do not care so much for the money rewards provided their children succeed in passing the test, and an *Abadhan*, who fails to show good results has hardly any chance of getting a decent livelihood."⁶⁵

The grant of a monthly government subsidy to a *pathshala* had the effect of weakening its hold on the people. They diminished their contribution towards its support in direct proportion to the amount of subsidy. This was the main cause of the change from the stipendiary to payment by result system. It was, however, generally believed that the payment of rewards to teachers on the results of periodical examinations had no directly mischievous tendency of that nature. But the testimony of the Joint-Inspector showed the necessity of caution even in carrying out reward examinations. He said :

65. *Vide RAO.* 1880-81, para. 265.

"As regards the tendency on the part of the people to withhold their accustomed contributions, the evil cannot be said to have, in any way, been removed by the payment-by-results system. By being spread over a wider field, it has only lessened in depth. The people in many cases withhold payment of the annual school fees when they see that their teacher has earned a lump sum from government in the shape of rewards for results, and this they generally do during the last quarter of the year."⁶⁶

Appointment of Chief Gurus and Inspecting Pandits

The appointment of Chief *Gurus* and Inspecting *Pandits* marked a further step towards the advance of primary education in Orissa. These systems were originally started by Bhudeb Mukherjee. In 1879 the Chief *Guru* system was adopted in Orissa⁶⁷ and Inspecting *Pandit* system in 1880.⁶⁸

The large increase in the number of *pathshalas* under the direct control of the department increased the work of Sub-Inspectors. The adoption of payment by results system converted Sub-Inspectors into central examiners. These officers were originally appointed with the object of locally inspecting and examining primary schools. In the absence of such supervision, primary schools could not be expected to show much improvement.⁶⁹ The question of supplementing the deficiencies of the inspecting staff was soon taken up by the Government. It was felt that any large increase in the number of Sub-Inspectors could only be made by a large increase of expenditure. Even if such an increase was sanctioned, a further increase would be necessary after a few years. The appointment of Chief *Gurus* and Inspecting *Pandits* afforded the best solution to the difficulty.⁷⁰ In 1887, the number of Chief *Gurus* and Inspecting *Pandits* employed in Orissa was 92.⁷¹

66. P.I. Report, 1881-82, para. 147.

67. RAB, 1879-80, p. 488.

68. RAO, 1880-81, para. 261.

69. RAB, 1880-81, p. 433.

70. *Ibid*, 1881-82, p. 371.

71. P.I. Report, 1887-88, para. 36.

A Chief *Guru* was a teacher of a school. He was selected as he was a man of influence in his neighbourhood. He visited other schools within his reach. The visits of Chief *Gurus* to the primary schools were not of that value as the visits of Sub-Inspectors or Inspecting *Pandits*. But the returns of their visit submitted to the Sub-Inspectors kept the latter constantly informed of the state of each primary school. The Chief *Guru* was the agency through which orders and notices were conveyed from the department to the schools. He also rendered valuable assistance in collecting statistics and organising central examinations for rewards. For these services he received two or three or four annas a month in addition to his earnings. His selection for the post of Chief *Guru* attracted pupils to his *pathshala*. His improved position as a quasi-government officer and his frequent contact with Sub-Inspectors and others, gave him an importance in the eyes of the people, and enabled him to secure decent livelihood from fees.⁷²

The Inspecting *Pandit*, on the other hand, was a sort of miniature Sub-Inspector. He was a man of somewhat higher standing than the ordinary village *guru*.⁷³ He had no school of his own. He inspected schools over a much larger area than a Chief *Guru*. He received pay and travelling allowance amounting to about Rs. 20 a month.⁷⁴

For some time it was advocated that the employment of Chief *Gurus* in preference to inspecting *Pandits* was cheaper and likely to prove a more searching and efficient branch of the subordinate inspecting agency. At last the final settlement of the question was left to further experience.⁷⁵

Classification of Primary Education

In full conformity with the system of classification authorised by the Government of India, the class of schools formerly designated as "lower vernacular" and classed as secondary schools, were included in the primary education under the

72. P.I. Report, 1883-84, p. 17.

73. *Ibid*, 1882-83, para. 32.

74. *Ibid*, 1887-88, para. 39.

75. *Ibid*.

name of "upper primary schools" from the year 1881. The "primary schools" of the previous years had, in consequence, become "lower primaries".⁷⁶ The lower primary schools in 1881 were 7,621 with 86,395 and the upper primary schools were 149 with 3,757 pupils.⁷⁷

Establishment of Angul Training School

Before the establishment of Angul Training Class, the *abadhans* of Angul (a Government estate in the Tributary Mahals of Orissa) were sent for training to the Cuttack Normal School. The system did not work well. It was costly and the teachers objected to go so far for training. A class was consequently opened at Angul in July 1883. It proved successful. The class contained 15 pupils on 31 March 1884. The Commissioner of Orissa proposed that Angul system should be extended to Dhenkanal and Mayurbhanj.⁷⁸

Recommendations of the Education Commission of 1882

In February 1882, Lord Ripon, the Viceroy of India, appointed an Education Commission of Enquiry whose "duty should be inquiry into the manner in which effect had been given to the Despatch of 1854 and to suggest such methods as it might think desirable, with a view to more completely carrying out the policy laid down therein."⁷⁹ The Commission was under W. W. Hunter as President.⁸⁰ Its recommendations largely determined the future progress of education in India.⁸¹

Regarding primary education the Commission recommended:

"That while every branch of education can justly claim the fostering care of the state, it is desirable, in the present circumstances of the country, to declare the elementary education of the masses, its provision, extension and improvement, to be that part of the educational system to which the strenu-

76. P.I. Report, 1881-82, para. 136.

77. *Ibid*, 1882-83, para. 206.

78. *Ibid*, 1883, 1883-84, p. 109.

79. Report of the Indian Education Commission, 1882, pp. 1-2.

80. RAB, 1883-84, p. 342.

ous efforts of the State should now be directed in a still larger measure than heretofore.....and that possesses an almost exclusive claim upon local funds set apart for education, and a large claim upon provincial revenues.”⁸¹

The recommendation of the Commission left the methods of extending primary education through payment by results unaffected. The Commissioners pointed out that the defects of the Bengal system were the comparatively low standard to which school subjects were taught, the extremely poor qualification of the bulk of the teachers and the inadequate provision for the proper inspection of the schools. They suggested that the attempts should be made to remove these defects.⁸²

The diffusion and efficiency of primary education, however, largely resolved itself into a question of rupees, annas and pies. From the beginning it had been obvious that adequate aid to village schools demanded funds which the Government could not supply. Already, about eight lakhs of rupees a year was being spent in Bengal upon elementary instruction. Sir Rivers Thompson, the Lieutenant-Governor, proposed to increase the allotment to eighteen lakhs. He was prevented from giving effect to his intention. The Government exchequer already crippled by its dependence upon the Financial Contract of 1882, was suddenly called upon to relieve the widespread distress caused by the great sea-wave which inundated parts of Orissa in the neighbourhood of Puri, and by the floods of Ganges which devastated the districts of Nadia and Murshidabad.

The Lieutenant-Governor was of opinion that as additional funds were not forthcoming, something possibly could be done by making the best use of the funds that existed. The Commission had advised not only the expansion of primary education, but also improvement of elementary schools. Expansion demanded increased expenditure, and money was scarce. Improvement, on the other hand, might be effected

81. Report of the Indian Education Commission, 1882, p. 86.

82. RAB, 1883-84, p. 342.

by concentrating upon promising schools, and withdrawing from feeble ones.⁸³

Accordingly, a Government Resolution on education called a halt to the proposed new expenditure. It said:

"It is not the wish of the Lieutenant-Governor (Sir Augustus Rivers Thompson) to discourage the establishment of new schools in districts where their number was still small in comparison with the extent of the country and population; but there can be no doubt that in many districts the development of the system of primary education had already reached if in some it has not actually exceeded the limits compatible with sound administration, and it is desirable that in these districts there should be no further extension for some years to come. The consolidation and improvement of existing schools should now be the main object of local officers, and search for old and indigenous schools should be generally abandoned."⁸⁴

The following measures were taken in 1886 to improve and consolidate primary education. The course of instruction in both lower and upper primary schools was revised so that it became more useful to students. The use of printed books in aided schools was made obligatory and every school seeking a reward was required to have a roll of at least ten pupils, to keep attendance and inspection registers, and to have been in existence for not less than six months.⁸⁵

As it was expected, there was a prompt falling off in the number of schools. The figures below indicate the number of

<i>Districts</i>	<i>Number of schools in 1885</i>	<i>Number of schools in 1886</i>	<i>Pupils in 1885</i>	<i>Pupils in 1886</i>
Balasore	2,260	1,922	35,803	32,865
Cuttack	4,623	3,932	61,296	61,371
Puri	2,462	1,717	23,005	25,834
Total	9,345	7,571	1,20,104	1,20,070

83. Herbert Alic Stark, *Vernacular Education in Bengal.* pp. 129-130.

84. *Ibid.*, p. 130.

85. *Ibid.*, p. 132,

schools that fell off in each district. But there was almost no decrease in number of pupils attending the schools.⁸⁶

In Puri district the diminution was partly due to the scarcity prevailing in tracts adjoining the Chilika lake. However, in a great measure the lower primary schools which were in a rudimentary stage were sacrificed to the new rules. But the desire for learning had become so deep in those days that loss of students in the fallen off schools was compensated by the increase of students in the existing ones.⁸⁷

The Night Schools

The system of night schools was introduced in Orissa in 1883. The night schools were intended for day labourers, mechanics and artisans. They were established in towns and other industrial centres. They were classed as upper or lower primary schools, according to the standards taught. Most of these schools were conducted by teachers of day schools with a view to supplement their small income.⁸⁸ In 1884 Cuttack had 72 night schools, and Puri 14, with an aggregate attendance of 1,422 pupils.⁸⁹

As scant attention was paid to this class of schools, the system did not work well. In 1894 there were 58 night schools.⁹⁰ In 1900 there were only 29 night schools with 424 pupils.⁹¹

The School Post Offices

The school post office was that post office with money order and savings bank powers placed under schoolmasters. The school master did this additional duty during school hours. He

86. RAO, 1885-86, p. 49.

87. *Ibid.*

88. P.I. Report, 1894-95, p. 65.

89. RAO, 1884-85, p. 46.

90. P.I. Report, 1894-95, para. 97.

91. *Ibid*, 1899-1900, para. 31.

received something like Rs. 5 a month from the postal department. The scheme was introduced on a systematic plan in 1884, when 7 village post offices were placed under the charge of school-masters. Inspecting officers of the education department were invited to cooperate with the postal authorities so as to ensure its success and extend its sphere.⁹² In 1888 the number of school post offices was 15 and it rose to 28 in 1894.⁹³ In 1900 they numbered 30.⁹⁴

The utility of the system was undoubtedly evident. It enabled to school master to eke out his small income without any interference with his school duties. It invested him with additional importance in the eyes of the villagers. It extended postal facilities at a cheap rate.⁹⁵

It was realised that so long as the duties of the post office were not done during the school hours, the expansion in question was a public good. Therefore, if the teacher-postmaster considered the task too burdensome for the remuneration offered, it was open to him to resign it.⁹⁶

Small Guru Classes in Middle Schools

The scarcity of well trained teachers in schools of Bengal was pointed out by the Education Commission of 1882. Hence, the question of gradually increasing the number of certificated teachers in primary schools received the attention of Government. In 1885, out of 7,281 *gurus* employed in his division, only 1960 held certificates of having passed any departmental or special examination. In order to meet the want of certificated *gurus*, the Government of Bengal sanctioned in 1886 the opening of small *guru* classes in connection with middle schools.⁹⁷ In the same year, 13 training classes were opened in middle schools in Orissa for training *abadhans*.⁹⁸

92. P.I. Report, 1893-94, para. 129.

93. *Ibid*, 1894-95, p. 66.

94. *Ibid*, 1899-1900, para. 32.

95. *Ibid*, 1893-94, para. 129.

95. *Ibid*, 1894-95, p. 66.

97. *Ibid*, 1885-86, para. 143.

98. RAO, 1886-87, para. 145.

Under this scheme a class was attached to each of the selected middle schools in each district for the training of primary school teachers in the neighbourhood. Those teachers attended morning or evening and on Sundays and holidays for this purpose, without relinquishing charge of their own schools. After a certain period of training, the *gurus* were encouraged to appear at a departmental examination, and rewards on a fixed scale were given to those who passed. When all the teachers in one locality had been trained, the class was moved to another middle school. The Head *Pandit* received one rupee a month for each man under training so long as the class was attached to his school.⁹⁹

To induce bonafide *gurus* to be trained in these classes, the following scale of rewards was sanctioned in 1891.¹⁰⁰

For passing the middle vernacular scholarship examination in the—

	Rs.
1st division	.. 15
2nd „	.. 12
3rd „	.. 10

For passing the upper primary scholarship examination in the—

	Rs.
1st division	.. 12
2nd „	.. 10
3rd „	.. 8

Balasore District Board made a provision of small stipends for the encouragement of *gurus* attending training classes attached to middle schools.¹⁰¹ With all these facilities, it was hoped that the scheme would be attended with success. The number of such training classes was 22 with 55 students in 1893.¹⁰²

99. P.I. Report, 1893-94, para. 144.

100. *Ibid*, 1891-92, para. 129.

101. *Ibid*, 1891-92, para. 130.

102. *Ibid*, 1891-92, para 48.

Substitution of Inspecting Pandits for Chief Gurus

By 1891, general opinion was decidedly in favour of the employment of *Inspecting Pandits*. In several respects the *Inspecting Pandits* proved to be advantageous than *Chief Gurus*.¹⁰³ The *Chief Gurus* had their own *pathshalas* to look after and could not, therefore, devote much time to the inspection of the schools in the neighbourhood.¹⁰⁴ The *Chief Gurus* could only visit neighbouring schools on Sundays and holidays, while *Inspecting Pandits* were wholifetime men. The quality of the work of the *Inspecting Pandits* was superior to that of the *Chief Gurus*. They exhibited greater intelligence in their dealings with schools. Further, since it was recognised as an impossible task to pass thousands of primary school teachers through training schools, these *Inspecting Pandits*, many of whom had had a systematic training in the art of training, were of the utmost value in explaining to the *gurus* the proper method of their work and in showing them by example how it should be done.

For all these reasons the *Inspecting pandit* system was considered better than the *Chief Guru* system.¹⁰⁵ It was, therefore, decided to abandon the *Chief Guru* system. In 1891 all the *Chief Gurus* were removed.¹⁰⁶ In 1893 there were 75 *Inspecting Pandits* in Orissa. To see that the *Inspecting Pandits* paid proper attention to their business was one of the chief duties of the Sub-Inspectors and Deputy Inspectors.¹⁰⁷

Contraction of the System of Training Schools

Cuttack training school was a first grade training school. There were four *guru*-training schools in Orissa, including one attached to the first grade school at Cuttack. The others were at Balasore, Puri and Angul in the Tributary Mahals. Besides, there were 22 *guru*-training classes in connection with middle schools.¹⁰⁸

103. P.I. Report, 1893-94, para. 38.

104. Review of Education in Bengal, 1892-93 to 1896-97, para. 26.

105. P.I. Report, 1893-94, para. 38.

106. *Ibid.* 1891-92, p. 17.

107. *Ibid.* 1893-94, paras. 38-39.

108. *Ibid.* 1893-94, pp. 81-83.

In 1893, the superior inspecting officers of Orissa were in favour of the discontinuance of the efforts of the Government to train the indigenous *gurus*. The Director of Public Instruction accepted their views and proposed that the time had come when the system should be abandoned or largely reduced. For several reasons this conclusion was arrived at.¹⁰⁹

In the first place, it was pointed out that with the spread of vernacular education through middle schools the necessity for third grade training schools was fast disappearing.¹¹⁰ The training schools did a great deal of good in days gone by, when the number of middle schools was small and the system of upper primaries had not been developed. But their utility "dwindled almost to the vanishing point" for some years past. *Gurus* turned out of these schools after six months' training were decidedly inferior to the passed pupils of upper primary schools.¹¹¹ Radha Nath Roy, the Inspector of Orissa, wrote:

"My own view regarding the working of the scheme is that it has been a failure. *Guru*-training schools with the present six-monthly course of instruction, and *guru*-training classes attached to middle schools, seem to me so many anachronisms in these days. The personnel of our lower primary school teachers is gradually changing, and changing for the better; but we owe this more to our system of primary and secondary education than to the *guru*-training classes."¹¹²

In the second place, it was found that teachers left their *pathshalas* and came to these training schools with the express purpose of utilising in some other calling, the education they received in the school. More than 60 per cent of those trained in the *guru* department of Cuttack training school were known to have abandoned teachership in order to obtain more lucrative employment. The total number of *gurus* turned from the Balasore training school and classes was 818. Of

109. P.I. Reports, para. 155.

110. Review of Education in Bengal, 1892-93 to 1896-97, p. 90.

111. P.I. Report, 1893-94, p. 89.

112. *Ibid*, para. 152.

them, 206 or about 25 per cent were actually in charge of lower primary schools.¹¹³

Lastly, the closing of these institutions was considered in view of the entirely new conditions that were introduced by the appointment of Inspecting *Pandits* in place of Chief *Gurus*. Many of these *pandits* were passed pupils of the first grade training schools and as such received systematic instruction in the art of teaching. As they went round the *pathshalas*, their business was to teach the *gurus* how to do their work. Consequently, they served in a manner as peripatetic training schools. In the more remote and backward parts of the country, they were the only possible agency since the *Gurus* would not come in to be trained.¹¹⁴

These reasons advanced against the continuance of so many training schools, convinced the Government of Bengal of the necessity of reducing them as much as possible. In November 1895, the third grade training school at Puri was abolished. The schools at Cuttack and Balasore were retained but the cost of their establishments was reduced from Rs. 3,487 a year to Rs. 2,509.¹¹⁵ The third grade training school at Angul was abolished in December 1896.¹¹⁶ The *guru*-training classes attached to middle schools were closed in 1897.¹¹⁷ Henceforward, the first grade training school at Cuttack was the only training school in Orissa.

The money set free by the abolition of the Puri Training School was utilised in reorganising the Cuttack Training School. A central training class for the training of the *gurus* of upper primary schools was added to it.¹¹⁸ Two classes were opened in it for the training of English teachers for secondary schools in 1896.¹¹⁹

113. P.I. Report, 1893-94, p. 89.

114. *Ibid*, p. 88.

115. BGP (Education) December 1895, No. 18, Government of Bengal to Director of Public Instruction, No. 4069, 28 November, 1895.

116. Review of Education in Bengal, 1892-93 to 1896-97, p. 90.

117. P.I. Report, 1897-98, para. 137.

118. Review of Education in Bengal, 1892-93 to 1896-96, p. 90.

119. P.I. Report, 1898-99, p. 94.

Introduction of a Scheme of Vernacular Education

The question of remodelling the system of vernacular education in Bengal had long engaged the attention of government. The Government of Bengal wanted that the new system of vernacular instruction "should be designed rather to develop the minds of the people than to practise and strengthen their memories, and to prepare the children in schools, for the most rural, for the agricultural, industrial and practical pursuits which must be their ordinary occupation in life."¹²⁰

The preparation of the new scheme was completed in 1901. The principal feature of this was that the training of boys of tender age should be conducted under the kindergarten system. This was generally believed to be the best and trusted method of training and developing the intelligence of children.

In the lower primary schools, the elements of kindergarten instructions, that is, the training of hand and eye by elementary drawing and manual work, simple drill together with reading, writing and simple arithmetic (Native and European) formed chiefly the subject of study. In the upper primary schools, the pupils were, in addition, taught the elements of History, Geography, Geometry and Science, and went through a short course of vernacular literature.¹²¹

The new scheme was introduced in Orissa in 1902. It was brought into gradual operation as the teachers were trained for the purpose. To train the teachers in the new method of teaching, the training schools were sanctioned in 1902 in all the sub-divisional headquarters of Orissa. The Sub-Inspectors of Schools were required to attend the first-grade training school at Cuttack to receive instruction in the new system. This was intended to enable them to teach the *gurus* (yet untrained) how to reorganise their schools in accordance with the new system.¹²²

New System of Payments to the Gurus

A new system of payments to the *gurus* of primary schools

120. RAB, 1900-01, pp. 40-41.

121. *Ibid.*

122. P.I. Report, 1902-03, Chapter VI, paras. 2-3.

was introduced in 1903. It abolished the system of remunerating teachers in primary schools on the results of primary examinations of their pupils and substituted for it a system of remuneration according to results ascertained by inspection.¹²³

Under this system the teachers of primary schools were paid a small monthly or quarterly subsistence. This was supplemented by a further allowance at the end of the year. The amount depended on the number of students on the rolls, the instruction given, the efficiency of the schools and the nature of the school-house. To regulate payments, the Sub-Inspectors were required to examine all the primary schools under their supervision. The main object of the system was that this kind of examination would form an efficient check on the work of *gurus* under them.¹²⁴

Secondary Education

Secondary instruction was provided in schools which were intermediate in standard between the primary schools and the college affiliated to the university. They were divided into middle schools and higher schools. The higher schools educated upto the Entrance standard. In all of them English was not only taught as a language but was also the medium of instruction except in some of the lowest classes. They were called higher English schools. In some middle schools English was taught. They were middle English schools or Anglo-Vernacular schools. In others the whole of the instruction was in the vernacular. They were classed as Middle Vernacular schools. The lower vernacular schools whose instruction was of primary standard were once included in secondary education. From 1881 they were classed as upper primary schools and included in primary education.¹²⁵

The Despatch of 1854 laid great stress on the promotion of secondary education through the encouragement afforded to

123. Quinquennial Administration Report, Orissa, 1900-01 to 1904-05, para 179.

124. P.I. Report, 1903-04, para. 21.

125. *Ibid*, 1872-73, p. 4.

private enterprise by the grant-in-aid system. The rules of grant-in-aid were framed and considerable budget provision for assisting private enterprise was made every year.¹²⁶

In 1872, there were three Higher English schools, 11 aided Middle English schools, one unaided Middle English school, 21 Middle Vernacular schools, 18 aided Middle Vernacular schools. The total number of students taught in these schools were 2,527.¹²⁷

In 1877, an important change was effected when all Middle English Schools were placed on a vernacular basis. That is to say, it became the rule that the vernacular was to be the medium of instruction. The text-books were to be in the language of the people and English was to be learnt merely as a language. The candidates for both classes of scholarships—Middle English and Middle vernacular—were henceforth to be examined by the same papers. The candidates for the Middle English scholarships had to offer English as an additional subject. It was also provided that every prosperous vernacular school was to be raised to the Middle English status.

The order constituting Middle English schools on a vernacular basis, was intended to have a twofold result. In the first place, those pupils (and they were the majority) whose education went no further should at any rate receive sound instruction in their vernacular whatever their English acquirements might in addition be. But in the second place, it was hoped that, by this assimilation of the constitution of English and vernacular schools, a number of the latter would be encouraged to add an English class. In course of time, when they were sufficiently advanced, they would be turned into Middle English schools. Again, when, the resources of a Middle English school fell off, it might for the time drop its English class and wait for better days. Thus, it would become a Middle Vernacular school instead of perishing utterly.¹²⁸

126. *Ibid*, 1863-64 Inspector of Schools to Director of Public Instruction, 30 May 1864.

127. *Ibid*, 1871-72, pp. 373-379.

128. *Ibid*, 1883-84, para 155.

This mutual convertibility of English and vernacular schools was greatly helped by the scholarship rules of 1882. These rules allowed candidates from all middle schools whether styled English or vernacular, scholarships. There was, therefore, no reason why strong middle vernacular schools should any longer content themselves with teaching vernacular only. They lost nothing by adding English classes in the matter of instruction for the vernacular teaching was still secured to the same standard as before. They lost nothing by adding English classes in the matter of scholarship also since they were eligible not only for vernacular scholarships as before, but for English scholarships in addition.¹²⁹

The prospects of secondary education were further improved by the declaration made in the Government Resolution of 29 July 1878. In that declaration it was mentioned that the proper duties of Deputy Inspectors were the immediate personal inspection of secondary schools, and the general supervision of primary education through the agency of Sub-Inspectors. The first place in the Deputy Inspector's duties was given to secondary education. The immediate result was seen in the increased number of visits paid by the officers to secondary schools.¹³⁰

By 1882, secondary education had not made substantial progress in Orissa. By then there were only 6 High English schools. Of those, Ravenshaw Collegiate school and the Balasore and Puri *Zilla* Schools were supported by Government. The Cuttack European and the Lokhannath schools were maintained on the grant-in-aid principle. The Cuttack Academy was a private school. The Middle English schools numbered 23 with an aggregate of 1,411 pupils. Nineteen of these were grant-in-aid and four private schools. There were 35 middle vernacular schools. Of those, 13 were supported by Government, one was a private school and the rest were maintained on the grant-in-aid principle.¹³¹

It was thus clear that the operation of grant-in-aid system

129. P.I. Report, 1883-84, para 155.

130. *Ibid*, 1879-80, para. 31.

131. RAO, 1881-82, p. 60.

failed to elicit adequate private effort in the spread of education. Here it had to contend against poverty and conservatism of the people. In spite of these obstacles, a few secondary schools were opened by this system. The two incentives to English education imparted in secondary schools were the increased prospects of lucrative employment and the chances of obtaining a university career by means of scholarships given at the entrance examination.¹³²

The Indian Education Commission suggested the ways of securing the rapid expansion of secondary education for the entire India. The Commission held the view that Government ought to withdraw from the field and encourage private enterprise as largely as possible. It was of opinion that the relation of the state to primary education was different from that to secondary education. It was a duty of the state to provide primary education, recourse being had to statutory compulsion if the people showed unwillingness to be educated. Consequently, it was the duty of the state to provide primary schools, not only in places where the people asked for them, but in all places where they were necessary. Secondary education, on the other hand, did not have such a paramount claim upon the state. Government was not under an obligation to provide it directly although it was bound to encourage all such efforts as the people would make to educate themselves. The Commission, therefore, recommended that secondary education should be provided on the grant-in-aid basis and Government should withdraw as early as possible from the direct management of the secondary schools. The Government of India, accepting its advice, declared that its policy was to supplement the limited funds of the state by calling for the every available private agency.¹³³

Accordingly, the Government of Bengal formulated its policy. Higher and secondary education were to be developed by local bodies and private agencies. Government was to withdraw from the direct control of secondary schools, with one important reservation, viz., it would maintain a limited num-

132. P.I. Report, 1863-64, Inspector of Schools to Director of Public Instruction, 30 May 1864.

133. Syed Nurullah, *History of Education in India*, pp. 299-300.

ber of institutions to serve as models and keep a high standard. It would retain control, by means of the inspection, of all public institutions and otherwise would confine itself to the distribution of grants-in-aid. This policy governed the progress of secondary education in Orissa during the remainder of the period under review.¹³⁴

During the year 1902, a new scheme of vernacular education in secondary education was introduced. The main principle of the scheme was that Indian boys were not allowed to learn English till they had been well-grounded in their mother tongue.¹³⁵

Another noteworthy event in the history of secondary education was the issue of orders in 1903 to the following effects. After 1904, the middle scholarship examination ceased to be held as public examination. In lieu of it, private examinations were arranged by teachers and managers of schools. The promotions from class to class in schools were decided by the masters and managers, subject to the control exercised by the inspecting officers of the education department.¹³⁶

Though the expansion of education, especially through private schools, had been very rapid in other provinces of India in the years following the report of education commission, it had been very slow in Orissa. The private enterprise did not give adequate response here. The special circumstances of Orissa were not taken into consideration when the educational policy was framed. That the education of Orissa had been completely neglected under the East India Company, and that Orissa was more economically backward than any other division of Bengal, should have been considered. The policy was framed, regard being had to the circumstances of other divisions of Bengal. As a result, the progress of secondary education by 1905 was very deplorable. There were only 12 high

134. L. S. S. O'Malley, *History of Bengal, Bihar and Orissa under British rule*, Chapter XXVI.

135. RAB, 1902-1903.

136. P.I. Report, 1903-04, pp. 120-123.

schools with 2,394 pupils and 82 middle English schools with 4,244 pupils.¹³⁷

Collegiate Education

One of the most significant achievements of the period from 1858 to 1905 was the promotion of collegiate education. This was as a result of the establishment of a college in Cuttack in 1868.

The desire for collegiate education found expression when the proposal was made for raising the Government *Zilla* school at Cuttack to the standard of a collegiate school.

The Cuttack *Zilla* School was held in high estimation by 1864. The number of pupils had more than doubled during the last five years preceding 1864. This too was in the face of one first class mission school with the aid of Rs. 150 a month and several other English schools of minor pretensions.¹³⁸

The growing importance of the Cuttack High English School prompted the school committee to press the necessity of establishing at Cuttack a college or at least a collegiate class under the Calcutta university. E. Burton, the Secretary to the Committee, wrote:

"The Committee sincerely trusts that it will not be long before this Institution which promises fair to become the first Institution in importance in the province of Orissa, is converted into a college. The boys of Orissa labour under peculiar disadvantages. They come up to the Entrance Examination and there is an end to their educational career. The want of a college tells severely on the boy's subsequent career, such a want is prejudicial to the result of the Entrance Examination also. The boys that read the Entrance course do not exhibit same degree of zeal in their studies as they should, and why? because they know fully well that it matters not much to them whether they pass or not...."¹³⁹

137. Quinquennial Administration Report, Orissa, 1900-01-1904-05, paras. 182-183.

138. P.I. Reports, 1864-65, p. 258.

139. *Vide* P.I. Report, 1864-65, pp. 258-259.

H. L. Garrison, the Inspector of schools, agreed with the Committee. He said :

"I have inspected the Division that while I fully admit the hardship under which educated persons labour in Orissa, and regret that a career beyond the Entrance Examination is practically closed to them, I do not think the time has yet arrived for the institution of a college there, that is to say, that the number of students would be too limited to justify the expenditure which it would involve. An experiment on a low scale might be made but cheap experiments are nearly always failures."¹⁴⁰

Meanwhile, the results of Cuttack *Zilla* school of 1865 and 1866 came out. W. W. Hunter, the Inspector of schools, expressed great satisfaction with the results. He wrote :

"This stands unquestionably first among the Educational Institutions of Orissa, having the largest number of candidates at the Entrance Examination. The number may not sound great contrasted with the result obtained by schools in advanced Bengal districts, but comparing the work done with the difficulties attending the doing of it, the Cuttack school deserves unqualified praise". He concluded that the time had arrived for the promotion of collegiate education in Orissa.¹⁴¹

The Director of Public Instruction examined the views of local authorities minutely and agreed with them. He recommended the opening of a collegiate class in Cuttack *Zilla* school, as a preparatory step towards the foundation of a college for Orissa. In his letter of recommendation, he calculated that the expense of the proposed collegiate school at Cuttack would be Rs. 13,800 a year at the rate of Rs. 1,150 a month. He, therefore, proposed that the assignment of the existing *Zilla* school should be increased from Rs. 3,616 to Rs. 12,000 per annum, the amount sanctioned for the Gauhati school. The excess of the charge over the increased assignment would be met from school fees and other sources of local income.¹⁴²

140. P.I. Report, 1864-65, Inspector of Schools, South-West Division to Director of Public Instruction.

141. *Ibid*, 1865-66.

42. BGP (Education), February 1867, No. 41, Government of Bengal to Government of India, No. 799, 15 February 1867.

Sir Cecil Beadon, the Lieutenant-Governor, accepted the scheme and in February 1867 sent it for the sanction of the Government of India. The reasons for sanctioning a collegiate school at Gauhati, were, in the Lieutenant-Governor's opinion, equally applicable to Cuttack. He said:

"Cuttack is similar to Assam in respect to its distance from any collegiate instruction, and it will be seen from the 10th paragraph of Mr. Ravenshaw's letter of the 12th September 1865, that the Oriyas are quite as averse as the Assamese to send their children far from their homes in order to obtain a higher class of education than is afforded by a *Zilla* school. Many of the Government appointments in Cuttack are also held by Bengalees instead of by the natives of the province, and there is an equally urgent necessity for giving it facilities for a higher class of education."¹⁴³

In April 1867 the Government of India sanctioned for the raising of the arrangements of the Cuttack *Zilla* school from Rs. 3,616 to Rs. 12,000 per annum "with the view of placing the institution on the footing of a college of the lower class to supply the means of obtaining University Education in the province of Orissa."¹⁴⁴

The Cuttack *Zilla* school was converted in January 1868 into a High School or collegiate school. The college department consisted of two classes only in which the undergraduate students were prepared to appear at the first examination in Arts. At first, first year class was opened. Six undergraduates who all passed at the last Entrance Examination from schools in Orissa joined the class. R. L. Martin, the Inspector of Schools, remarked that if there was no college class at Cuttack, only one of the six would have joined an affiliated college in Bengal and the remainder would have had to content themselves with the amount of learning already acquired.¹⁴⁵

143. *Ibid.*

144. BGP (Education) May 1867, No. 37, Government of India to Government of Bengal, No. 2268, 27 April 1867.

145. P.I. Report, 1867-68, Inspector of Schools, South-West Division to Director of Public Instruction.

The second year class was opened in January 1869. A law class was opened at the same time. The monthly fee at the college class was Rs. 3 and at the law class Rs. 5. Thus, at the end of the year 1869 the Cuttack High School consisted of three departments, such as, (1) College department, (2) a Law department, (3) usual classes of a *Zilla* school.

All the six students reading in the first year college class passed the University Examination. In 1869 there were 16 pupils reading the first Arts standard. Of them 6 were second years' students and 10 were first years' students. It made the authors of the scheme hopeful that the collegiate education would be gradually appreciated by the people of Orissa.¹⁴⁶

In January 1875, T. E. Ravenshaw proposed to convert the college department of the High School into a college in which the students would be able to complete the entire course necessary for attaining the B.A. degree. The matter was pressed on the attention of Sir Richard Temple during his visit to Cuttack in April 1875. He was convinced that Oriyas were exposed to much disadvantage by their distance from the Presidency College in Calcutta.¹⁴⁷ After his return to Calcutta, he wrote to the Commissioner of Orissa that he agreed to convert it into a college on some conditions. They were: Rs. 30,000 should be contributed by Government in consideration of an equal amount subscribed locally to meet the expenses of the college. The classes would be opened as an experimental measure for five years. On behalf of the people of Orissa, T. E. Ravenshaw accepted those conditions. The college was opened in January 1876. It was placed under the able management of Principal S. Ager, late Joint Inspector of schools in Orissa.¹⁴⁸ The Director of Public Instruction said: "The Cuttack college, properly equipped, will civilise Orissa, as the Presidency and other colleges have civilised Bengal, and as the Patna College is civilising Bihar."¹⁴⁹

146. P.I. Report, 1868-69, Report of R. L. Martin, the Inspector of Schools, South-West Division.

147. BGP (Education), May 1875, Minute by the Lieutenant-Governor of Bengal, 27 April 1875.

148. P.I. Report, 1875-76, paras. 380-383.

149. *Ibid*, 1878-79, p. 20.

In 1878, Krushna Chandra Bhanj, the Maharaja of Mayurbhanj, made a donation of Rs. 20,000 to the college as a permanent endowment. At his request the name of the college was changed to Ravenshaw College, in commemoration of Ravenshaw's services as Commissioner of Orissa.

An event occurred in the year 1881 which would permanently mark an era in the educational history of the province. In that year the college which had hitherto been experimental was placed on a permanent basis. The munificent gift of Rs. 20,000 given by the late Maharaja of Mayurbhanj in addition to the previous local contributions enabled the Government to make the institution permanent. A. Smith, the Commissioner of Orissa, said :

"The direct administration of Orissa by the British Government dates from the year 1803, and the province has therefore in point of time had half a century less of the benefits of English rule than its more advanced neighbour, Bengal. It is, however, advancing steadily but surely, and the constitution of the college is not merely an indication of progress made, but of the establishment to all time of the means of further progress. It is very unfortunate that Maharajah of Mayurbhanj died soon after the realisation of the object for which his very liberal gift was made."¹⁵⁰

The Law Department was attached to the college in 1881. It prepared the students for B.L. examination. In 1891 M.A. classes were opened.

The college expenses amounted to Rs. 21,466 in 1900, of which the boys paid Rs. 5,921. The rest were met by the Government.¹⁵¹

The establishment of Ravenshaw College was followed by far-reaching consequences. The Oriyas were introduced to the treasures of western knowledge for the first time. This brought new and more useful ideas to the young mind. Thus a new self-consciousness was brought about. The practical consequence is

150. *Vide RAO, 1881-82, Para. 257.*

151. *Utkal Dipika, 24 August 1901.*

more important. Oriyas were available for the high posts on account of the spread of collegiate education. The report of the Ravenshaw college read on 24 August 1901 in a function ran :

"During the 25 years of its existence as a first grade college it has taken out 4 M.A.s, 94 B.A.s. Of these graduatse, 14 are pleaders, 13 are Deputy and Sub-Deputy Collectors, 21 are teachers, 13 are government and private ministerial officers, 1 is a professor of college, 1 is a munsiff, 1 is a Deputy Inspector of schools, 3 are Sub-Inspectors of schools, 5 are not traceable and 4 are dead. Of these 4 M.As., one is a lady....upto this time the college had turned out 23 B.Ls."¹⁵²

There did not take place a marked increase in the number of students in the college. The number was 38 in 1882,¹⁵³ 97 in 1900 and 75 in 1905.¹⁵⁴ There were some principal obstacles to any large increase of students. Firstly, there were a few High English schools in Orissa. Secondly, due to the proximity of Midnapur, most of the successful candidates at the Entrance Examination from the district of Balasore used to join the Midnapur college. Thirdly, from the year 1896, Orissa was opened by Railways. The improved means of communication attracted some of the most promising students to study in Calcutta. Finally, the calls upon the college for the supply of educated young men to recruit the various departments of service in the province were increasing. Consequently, many of them left off their studies before taking their degree.¹⁵⁵

Technical Education

An important step towards the progress of education in Orissa was taken when a medical school and a survey school were established at Cuttack. It was felt that in several branches of higher education, intending students were placed at a disadvantage, compared with the people of Bengal and Bihar on account of the distance from the higher educational institu-

152. *Vide Utkal Dipika*, 24 August 1901.

153. P.I. Report, 1881-82, p. 27.

154. Quinquennial Administration Report, Orissa, 1900-1905, p. 42.

155. P.I. Report, 1881-82, p. 27.

tions. Therefore, these institutions were opened within the province of Orissa.¹⁵⁶

Dr. Stewart, the Civil Surgeon of Cuttack, displayed a great zeal in establishing a medical school at Cuttack. He also made a disinterested offer to undertake the duties both of superintendence and of instruction without extra remuneration if the medical school was established. The need of a local medical college was also pressed upon the Government by T.E. Ravenshaw, the Commissioner of Orissa. In his opinion such a college would contribute materially to the benefit of the province. In September 1875, Sir Richard Temple, the Lieutenant-Governor, accorded his assent to the scheme. He agreed to give an annual grant of Rs. 3000 in support of the school.¹⁵⁷

The school was opened on 15 February 1876. It was fully and fairly started with 38 students. The instruction was imparted in the medium of vernacular. Dr. Stewart completed the translation of *Materia Medica* into Oriya. He proved to be earnest and indefatigable. Under his supervision the Cuttack Medical School made a promising commencement.¹⁵⁸

Sir Ashly Eden, the Lieutenant-Governor, had an opportunity of visiting this school in 1877. He was satisfied with the practical character of the instruction and the rapidity with which Oriyas were overcoming their dislike to European medical treatment. He felt that the establishment of the medical school was a great and lasting service to the province.¹⁵⁹

The final examination of the students who had finished the three years' course was held, for the first time, in March 1879. Fourteen students appeared at this examination. All of them, except one, were considered deserving of diplomas in medicine and surgery. Dr. Stewart claimed that the people

156. BGP (Education), May 1875, Minute of the Lieutenant-Governor of Bengal, 27 April 1875.

157. *Ibid*, September 1875, Resolution of the Lieutenant-Governor of Bengal, No. 2697, 6 September 1875.

158. RAO, 1875-76, para. 106.

159. P.I. Report, 1877-78, p. 67.

of Orissa could be successfully trained to become qualified and intelligent medical practitioners.¹⁶⁰

In 1886, a female class of the institution was opened.¹⁶¹

In 1891, the Inspector-General of Civil Hospital visited Cuttack Medical School and observed:

"The progress of the school amply fulfils the anticipation formed of it by its original founders. The pupils continue to flock to it every year, so that the Superintendent is able now to take only those candidates who have a pretty good general education, and about 16 fully trained hospital assistants are turned out every year. Up to the present time it seems that the province of Orissa also has been able to absorb all the pupils turned out by the school, but lately there have been signs of the supply exceeding the demand and this year there would have been a difficulty in providing employment for all the passed pupils, had not a considerable number been taken for Burma. From the repugnance which the pupils of other provinces evince to service in Burma, it is not unlikely that the province will find employment for the pupils of the Orissa Medical Schools for some years to come."¹⁶²

In 1891, Cuttack Medical school was placed under the management of Surgeon Lieutenant-Colonel J. M. Zorab. He succeeded Dr. Stewart.¹⁶³ Under his able management it registered 118 pupils including 6 females by 1894.¹⁶⁴

By 1905, the expectations of the original founders were fulfilled. Under the management of Dr. Stewart and Dr. Zorab, the Cuttack medical school not only supplied doctors to the several hospitals and dispensaries in Orissa, but also trained efficient nurses. Thus, the foundations of the future medical college were laid.¹⁶⁵

160. P.I. Report, para. 284.

161. *Ibid*, 1886-87, p. 67.

162. *Ibid*, 1891-92, para. 143.

163. *Ibid*.

164. RAO, 1893-94, p. 33.

165. *Utkal Dipika*, 23 August 1904.

Another long felt want was a school for imparting instruction in survey. At the suggestion of S. C. Schalch, the Collector of Balasore, a teacher was appointed in February 1859 to teach surveying on a salary of Rs. 20 per month. The double objects of the survey class, as pointed out by the Inspector of schools, were to train youths for the survey and to enable them to obtain appointments after quitting the school.¹⁶⁶ In 1860, the appointment of a survey master did not answer its intended objects. Hence, it was discontinued.¹⁶⁷

After the assumption of office, T. E. Ravenshaw wrote to the Bengal Government that the establishment of a survey school in Orissa was absolutely necessary and the Government of Bengal agreed to the proposal. The Cuttack survey school was thus opened in 1876.¹⁶⁸ Thirteen students joined it at first. The period under training was fixed for two years. The education was imparted in the medium of vernacular. The only book on the subject in vernacular was written by Dwarakanath Chakravarty. The school was placed under the control of the Principal of Ravenshaw College.¹⁶⁹

In the final examination of the second year class conducted by Macmillan, the Executive Engineer, out of 13 candidates, 12 were successful.¹⁷⁰ Almost all the successful candidates found employment as *ameens*.¹⁷¹ The cadastral survey of the Khurda Government estate commenced in 1878 and survey of the province of Orissa commenced in 1889. They gave a great impetus to the teaching of survey by providing work for those who passed out of the school. The school rapidly grew in popularity.¹⁷² At the end of 1891, 41 students were on its rolls.¹⁷³

166. P.I. Report, 1858-59, Inspector of Schools, South-West Division to Director of Public Instruction, 1 July 1859.

167. *Ibid*, 1859-60, 30 June 1860.

168. *Ibid*, 1875-76, para. 431.

169. RAO, 1878-79, para 167.

170. P.I. Report, 1878-79, para. 295.

171. RAO, 1878-79, para. 167.

172. *Ibid*.

173. *Ibid*, 1891-92, para. 71.

The Cuttack survey school continued as the only survey school in the province till its conversion into a school of Engineering in 1923.

Industrial Schools

In 1889, an industrial school was opened in a village called Alalpur in the district of Balasore.¹⁷⁴ The students registered by this institute fluctuated between 20 and 25 only. Carpentry and needle work were taught in the school. Palanquins, almirahs, boxes, etc., were manufactured by the students with the help of their teachers. With the sale proceeds thereof, materials were purchased for new work. Some of the students were reported to have become good carpenters.

Though the institution was useful, it took rather the character of a workshop than of an organised school for industrial education. No pupils were prepared here for any public examination. No attempt was made to impart instruction on an organised basis.¹⁷⁵ In the Annual Administration Report, 1896-97, the Commissioner of Orissa observed :

"It appears doubtful whether this institution is worth maintaining; unless technical schools provide education which will introduce a class of workmen markedly superior to the village artisan, there is no reason why they should exist at all, as that standard can be reached without their assistance as it has been for centuries past. To raise the standard of local handicrafts, to encourage the development of such vestiges of the artistic skills manifest in the temples of Orissa, would be a worthy object; but anything short of this appears to amount to giving a pretension name to an institution that imparts no more instruction than the village blacksmith or the local carpenter can hand down equally well or perhaps better."¹⁷⁶

The Balasore Technical School, managed by the Reverend Griffin, a Baptist Missionary, imparted training in industrial matters. In 1890, it was attended by 90 pupils, of whom 65

174. P.I. Report, 1889-90, para 148.

175. *Ibid*, 1898-99, p. 122.

176. RAO, 1896-97, p. 276.

were Christians, 18 Hindus, and 7 Muhammedans. The subjects taught were carpentry and needle work. The Joint Inspector of Orissa said :

" Apart from its industrial aspect, the work done in this institution has a distinct moral value, in that it is calculated to inspire boys of the neighbouring middle school, who attend it in their leisure time, with a wholesale sense of the dignity of manual labour, and this in itself is no small gain to the thriving Christian community for whose benefit the school is mainly intended."¹⁷⁷

In 1892, the District Boards of Cuttack, Puri and Balasore created a few scholarships out of the public funds at their disposal, for the purpose of enabling Oriya youths to receive training at the Jobra workshop, the Sibpur Engineering College and the Calcutta School of Art.¹⁷⁸ The Jobra workshop at Cuttack was really a valuable means of familiarising local mechanics with the use of appliances and methods, immeasurably in advance of what could be otherwise locally learnt.¹⁷⁹

Female Education

The female education made a beginning in Oriya under the initiative of missionaries. During the famine of 1865-66 the missionaries established orphanages which subsequently developed into centres of female education. One *zanana* association was started by Mrs. Smith in 1869 for educating the married girls of Balasore.¹⁸⁰

On female education in Orissa the Joint Inspector wrote in 1874:

" If by female education we mean a little reading and writing, there are more educated women in Orissa than perhaps in any other part of Bengal; but if it means good and sound learning, then it must be confessed very little has yet been done,

177. P.I. Report, 1889-90, para 148.

178. RAO, 1892-93, para. 121.

179. *Ibid*, 1896-97, para 276.

180. P.I. Report, 1871-72, pp. 377-380.

and for some years to come little more is likely to be done in this respect. The people do not object to give education of some kind to their daughters, but the idea of sending them to public schools, to which the public have access, and where they may be subjected to the gaze of the public, and will have to mix with girls of all classes, is revolting to their feelings and prejudices. Hence it is that while in the *pathshalas* carried on in the indigenous method, we often have a few girls writing the alphabet on little pieces of palm-leaf, or with small pieces of chalk upon the ground, we do not find a single Oriya, Hindu or Muhammedan girl of a respectable family in any of our middle or higher class schools.¹⁸¹

In 1875, there were nine girl schools, and one *zanana* association for the instruction of girls. Of these, five were in Cuttack, one in Puri, and the rest in Balasore. One of the schools was unaided and the others were all aided. The aided schools were under missionary management. The total number of girls under instruction on 31 March 1875 was 967, of whom one was in a Middle English School, one was in a Circle School, 12 were in Middle Vernacular Schools, 834 were in girls' school. The rest frequented *pathshalas* and the Mission Normal school at Santipur. Most of the girls in schools were Bengalis. The number of Oriyas were few.¹⁸²

Girls' schools were, for the first time, classified in the educational returns under the recognised standards of instruction in 1880.¹⁸³ The total number of girls under instruction was 2,416 in 1882. Of these, 823 attended special girls' schools and the rest boys' schools. The special girls' schools were 33 in number, viz. 25 in Balasore, 6 in Cuttack and 2 in Puri. Of these, 20 were under missionary management and the rest were Hindu Girls' schools. The best Hindu Girls' schools were those situated at Balasore, Cuttack and Bhadrak. The highest standard which girls' schools reached in Orissa was the lower vernacular scholarship standard.¹⁸⁴

181. P.I. Report, 1874-75, para. 515.

182. *Ibid*, p. 98.

183. RAO, 1880-81, p. 62.

184. *Ibid*, 1881-82, pp. 62-63.

This expansion of female education was, however, mainly due to the encouragement of girls' classes established in primary schools for boys. The Education Commission recommended that mixed schools for boys should not be maintained except under special circumstances. The Government of Bengal opposed the Commission's recommendation for the following reasons. First, there could be no doubt as to the success of the mixed schools system in every division of Bengal. Secondly, the competition between girls and boys in these schools had been of the utmost value in stimulating the progress of both. Lastly, the necessary limitations to the system were found in the fact that girls seldom attended schools after they were ten years old. Up to that age, boys and girls played together. Therefore, there was no reason why they should not also read together. The Government of India did not contest the Lieutenant-Governor's views thus expressed. The mixed system, as a result, continued to be in force in Orissa.¹⁸⁵

The other recommendations provided for aiding girls' schools on easier terms, the grants to *zanana* agencies and to local associations, for an increase to the female inspecting agency and the gradual replacement of masters by mistresses. All these proposals were approved of by the Government of Bengal.¹⁸⁶ Action was taken on these proposals from time to time.

A Sub-Inspector was appointed in 1887 for Orissa to inspect girls' schools lying within the limits of the municipalities.¹⁸⁷

The table below shows the progress of female education:¹⁸⁸

<i>Year</i>	<i>Number of schools</i>	<i>Number of pupils</i>	<i>Remarks</i>
1894-95	107	5,638	Girls in boys' schools
1899-1900	111	6,062	are included.
1904-1905	214	14,118	

185. P.I. Report, 1883-84, para. 329.

186. Herbert Alick Stark, *Vernacular Education in Bengal*, p. 143.

187. P.I. Report, 1887-88, para. 22.

188. Quinquennial Administration Report, Orissa, 1900-01-1904-05, para. 190.

By 1905, the progress of female education was seen to be not satisfactory. The highest standard reached by the girls in Orissa was the middle vernacular scholarship standard. The slow progress of female education was mainly due to the following reasons:

A great portion of the people were conservative. They did not like that the girls should go out and come into contact with boys, teachers, or any other residents. Similarly, the education of their female children was a matter of great indifference to a large portion of parents and guardians. They usually did not take the same amount of care and interest in the education of their female wards as they did in that of boys. Besides, the system of early marriages presented an almost insurmountable barrier to education beyond the primary stages. Finally, the scarcity of educated female teachers and want of adequate state aid and aid from other public funds hindered the smooth progress of female education.¹⁸⁹

Indigenous Education

The indigenous education was defined "as one established or conducted by the natives of India on native methods".¹⁹⁰ The purely indigenous education in Orissa was carried on in *Tols*, *Maktab*s and elementary village schools or *pathshalas*.¹⁹¹

The *tols* were the indigenous institutions of the country for the prosecution of Sanskrit studies. The *pathshalas* constituted the indigenous primary schools in which an elementary education was given in the vernacular language of the district. The *maktab*s were the schools in which the elements of Arabic, Persian and Urdu literature were taught.¹⁹²

The education commission of 1882 recommended that all indigenous schools, whether high or low, should be recognised

189. Review of the Education in Bengal, 1897-98-1901-1902, p.45.

190. Report of the Indian Education Commission, 1882, para. 675.

191. RAO, 1892-93, p. 32.

192. P.I. Report, 1885-86, para 313.

and encouraged if they served any purpose of secular education.¹⁹³ The recognition and encouragement of indigenous schools, thereafter, became an essential part of the educational system of Bengal.¹⁹⁴

The majority of the elementary schools in Orissa then conformed to the departmental standard and were included in the system of primary education. In order to bring the rest of the *pathshalas* under this system, the rules were framed in 1899 to the following effect. Primary schools having an attendance of less than ten pupils were ineligible for any reward and were classified under the head of *pathshalas*.¹⁹⁵ But as soon as they could collect more pupils, they were classed as primary schools, brought under regular inspection of departmental officers and aided from public funds.¹⁹⁶

The Sanskrit *tols* numbered 68 in 1893. Of the *tols*, the most advanced were Puri Sanskrit *Tol* established by the Maharaja of Balarampur, the Sriram Chandra *Tol* in Balasore, and the Ganja *Tol* in Cuttack.¹⁹⁷

For the encouragement of Sanskrit *tols*, a scheme was sanctioned by Government in February 1893. The two examinations to be annually held, would lead up to the Sanskrit Title Examination and separate standards were prescribed in each subject. In addition to rewards to successful pupils on the results of the first and second examinations, the provision was made for the award of monthly stipends for one year to the *pandits* whose pupils distinguished themselves most in the competition.¹⁹⁸

The visit of Mahamahopadhyaya Mahesa Chandra Nyaya Ratna, a great scholar in Sanskrit, to Orissa after the publication of the above scheme proved a success and evoked much enthusiasm in the course of Sanskrit teaching. Under his

193. Report of the Indian Education Commission, 1882, para. 675.

194. P.I. Report, 1885-86, para. 26.

195. *Ibid*, 1895-96, para. 244.

196. P.I. Report, 1899-1900, para. 129.

197. *Ibid*, 1895-96, para. 244.

198. *Ibid*, 1892-93, para. 207.

guidance, associations were formed at the three district headquarters for the purpose of organising periodical examinations of *tols* and for rewarding them, under a system of payment by results.¹⁹⁹ The associations so formed were the Jagannath *Samiti* at Puri, the Orissa Sanskrit *Samiti* at Cuttack and the Balasore Sanskrit *Samiti* at Balasore.²⁰⁰

Many of the *tols* adopted the standards prescribed for these examinations. The annual examinations were held under the control of the department. Thus the *tols* were improved and brought under departmental supervision.²⁰¹

The first step to improve the efficiency of *maktab*s was taken in 1905, when the Government introduced a scheme of giving grants-in-aid to *maktab*s on condition that they conformed to the simple departmental standard.²⁰²

Muhammedan Education

The Muhammedans did not constitute any considerable portion of the population in Orissa. But they did not care less for education than the people of other creeds.²⁰³ In Orissa the percentage of Muhammedans at school had always been greater than the population percentage. A comparison of the percentages of successful Muhammedan and Hindu candidates in the several departmental examinations also showed that the former held their own very well with the latter.²⁰⁴ The total number of Muhammedans under instruction was 3,183 in 1885,²⁰⁵ 3239 in 1895,²⁰⁶ and 4,028 in 1905.²⁰⁷ The Muhammedans of Orissa were not such a backward or neglected community as

199. RAO, 1892-93, para. 134.

200. P.I. Report, 1892-93, para. 208.

201. *Ibid*, 1902-03, Chapter XIII.

202. *The Administration of Bengal under Sir Andrew Fraser* p. 166.

203. RAO, 1877-78, p. 36.

204. *Ibid*, 1886-87, para. 147.

205. *Ibid*, 1886-87, para 148.

206. *Ibid*, 1894-95, para. 311.

207. Supplement to P.I. Report, 1904-05, p. 33.

their co-religionists in Bengal. They also held a large share of the ministerial and clerical appointments in the province.

Most of the important centres of Mahomedan population in Orissa were well supplied with schools.²⁰⁸ There was scarcely an important Muhammedan village in Orissa which was not within an easy reach of either a secondary or an advanced primary school. What was generally done for all classes, benefited them alike. No school in Orissa had been more successful in promoting the higher education of Muhammedan boys than the High English school of Kendrapara.

In respect of educational facilities the Muhammedans of Orissa were better off than the other sections of the population. Apart from the advantages which they enjoyed in common with others, they had some special educational facilities, such as, (1) the privileges of free studentship to the limit of 8 per cent of the school population in aided high schools, and 12 freestudentships in any one school; (2) the benefits from the Mohsin fund chiefly in the shape of remissions of a part of fees payable to schools and colleges and several special scholarships (Junior, Senior, Graduates) created by Government with a view to enable them to receive collegiate education; and (3) the relaxation of rules regarding the age of admission in their favour.²⁰⁹ In filling up vacancies in the posts of Sub-Inspectors and teachers in schools under public management, preference was generally given to Muhammedan applicants on the principle that the number of appointments held by Hindu and Muhammedans should be made more nearly proportional to their numbers in each district. In fixing rates of stipends to primary schools, special consideration was shown to those that were attended by Muhammedan pupils. Thus, the British Government made sincere efforts not to allow Muhammedans to lag behind others in the race for progress.²¹⁰

208. RAO, 1891-92, para. 73.

209. (a) P.I. Report, 1902-03, p. 41.

(b) RAO, 1893-94, para. 140.

210. P.I. Report, 1902-03, p. 41.

Educational Administration

Before the changes introduced by Sir George Campbell, the control of education in schools of Orissa lay in the hands of the Director of Public Instruction, working through the Inspector of schools, South-West division and two Deputy Inspectors. The only exception to this was the *zilla* school of each district, in respect of which a Local Committee enjoyed certain limited powers.²¹¹ Of the two Deputy Inspectors, one was in charge of Puri and Angul and the other of Cuttack and Balasore.²¹² The relation of the District Magistrate to the schools of his jurisdiction varied entirely with his inclinations. He had no direct educational responsibilities.²¹³

In 1872, the whole system of educational administration was remodelled by Sir George Campbell. It was his design to give a permanent impulse to the cause of primary education among the masses of the people. He believed that this could be done by localising educational control as far as possible and at the same time by bringing the members of the educational service into closer connection with the executive officers of Government.²¹⁴

He put his ideas into action by the Resolution of 30 September 1872. The entire control of primary education was made over to the District Magistrate. The chief authority over education of the higher kinds throughout each district (including the award of scholarships) was also transferred from the management of the professional officers of the department to that of a duly constituted District Committee, of which the Magistrate was the ex-officio Vice-President and the Commissioner was the President. The Deputy Inspectors of schools whose duty was to inspect middle-class schools and *pathshalas* were placed directly under the Magistrate's orders. The Inspectors

211. BGP (Education), July 1877, Resolution of the Government of Bengal, No. 2061, 20 July 1877.

212. P.I. Report, 1858-59, Inspector of Schools, South-West Division to Director of Public Instruction, 1 July 1859.

213. BGP (Education) July 1877, Resolution of the Government of Bengal, No. 2061, 20 July 1877.

214. *Ibid.*

were relieved of nearly all their administrative functions, and were directed to look upon themselves as merely the chief advisers of the Commissioner and (if required) of the Magistrates in all educational matters. A general power of supervision was no doubt given to the Inspectors. They were at liberty, and indeed were required to inspect schools of all classes. They were specially to see that the local authorities conformed to the rules and policy of Government. They had to, at the same time, discharge duties in connection with audit and account. The Director ceased to exercise immediate control over the local operations of his department and became an adviser to Government in questions involving educational operations.

The each District Committee was entrusted under this scheme with three main functions. They were: (1) the management of the frant-in-aid assignment; (2) the management of the District Government schools, subject to certain limitations in their power of making appointments; and (3) the distribution and award of primary, vernacular, and minor scholarships.²¹⁵

When the duty of administering education was thus made over to district officers who already held in their hands so many other threads of district administration, Campbell felt it necessary to allow to each district chief a special agency to help him in educational duties. His scheme, therefore, provided that a well paid Deputy Inspector should be attached to the headquarters of each district. As a result, the Deputy Inspectorships in Orissa were increased from two to three, each in charge of a district. Campbell's scheme also attached a Sub-Inspector to each sub-division of a district. His function was to administer the educational funds and inspect the primary schools of the sub-division under the direction of the Sub-Divisional Officer.²¹⁶ Accordingly, 10 Sub-Inspectors were added to the controlling agency of Orissa.²¹⁷

Another change came in 1873. Under Campbell's scheme, the primary schools increased rapidly. They were sparsely

215. BGP (Education), July 1877, Resolution of the Government of Bengal, No. 2061, 20 July 1877.

216. RAB, 1872-73, pp. 158-159.

217. P.I. Report, 1875-76, p. 109.

scattered over a wide area and could hardly be supervised satisfactorily by the Inspector of the Western circle, who had, in the Burdwan division, nearly 35,000 schools. Besides, Oriya too was a distinct language, and for the effective supervision of the Orissa schools, nearly all of which were in the elementary stage, it was desirable that the Inspector should possess the knowledge of that language. Considerations of this kind led to relieve the Burdwan Inspector of the minute supervision of the Orissa schools, and to appoint a special officer under the title of Joint-Inspector, subordinate to the Inspector of the Western Circle, to take charge of these schools.²¹⁸

In October 1874, the D.P.I. reported that except by the complete subordination of the Joint-Inspector to the Circle Inspector, or by his recognition as an altogether independent officer, the arrangement could never work satisfactorily. One of the alternative plans should, in his opinion, be adopted. T. E. Ravenshaw, who had greatly at his heart the advancement of education in this province, was desirous that the latter plan should be adopted.²¹⁹ The Government of Bengal agreed with him. In 1875, Orissa was separated from Burdwan division and placed under the independent charge of a Joint Inspector.²²⁰

In the Resolution of 20 July 1877, Sir Ashley Eden, the Lieutenant-Governor, reviewed the results of the system of educational administration established by Sir George Campbell in 1872. He acknowledged that the system had several advantages. He said: "Much important and useful work had been done. A fund of knowledge had been gained as to the educational requirements of the masses. A great stimulus to improvement was given, and the cause of primary education had been placed on a broad and expanding basis."²²¹

In spite of all these advantages, the following drawbacks of the new system were pointed out by him. In the first place,

218. BGP (Education), October 1874, Director of Public Instruction to Government of Bengal, No. 4148, 4 September 1874.

219. *Ibid.*

220. P.I. Report, 1875-76, p. 109.

221. BGP (Education), July 1877, Resolution of the Government of Bengal, No. 2061, 20 July 1877.

the new system had to some extent failed to utilise the accumulated professional experience of superior inspecting officers of the department, partly by encumbering them with formal duties of audit and account, and partly by treating them in a great measure, as mere advisers and inspectors. In the second place, far too much was left dependent on the unchecked idiosyncrasies of individual district officers. Many of them had no special taste for this branch of administration while all were already fully occupied with the constantly pressing details of their ordinary work. Lastly, in several respects the principles of the amalgamation were not very clearly formulated, and in consequence, difficulties frequently cropped up.

The Lieutenant-Governor declared that his object was to adjust the educational machinery of the province so as to secure better and more uniform results.²²² He expressed full adherence to the leading principles of the system of educational administration which had been established by Sir George Campbell, namely, the direct control by the Magistrate of primary education and the closer association of the education department with the executive officers of Government. But at the same time he wanted that primary education should be brought more clearly within the final control of the Head of the Education Department and that the services of the Inspector and Deputy Inspectors were to be more fully utilised in the matter of direct administration. He, therefore, decided to settle more definitely the relative positions and duties of the various officers concerned in the educational operations in the state.²²³

Accordingly, the controlling agency was revised and strengthened in 1878 by a Resolution of Government dated 29 July 1878. The new scheme provided for the following arrangements.

The Director was to exercise general control over education of every kind including primary. The primary grant was still

222. BGP (Education), July 1877, Resolution of the Government of Bengal, No. 2061, 20 July 1877.

223. Director of Public Instruction to Government of Bengal, No. 5T, 18 June 1878.

to be administered and primary scholarships awarded, by the District Magistrate through his district officers, the Deputy-Inspectors and Sub-Inspectors. For the state of primary education in his district, the District Magistrate was still to be held in the first place responsible. This officer was, however, empowered to consult the Joint-Inspector on any matter connected with primary education and the latter, similarly to offer his independent opinions to the Magistrate. The Magistrate was not bound to follow the Joint-Inspector's advice. If differences of opinion arose, the question was to be referred to the Director. His decision would generally be final, subject to a reference to Government in certain exceptional cases.²²⁴

The general control of all the secondary schools of a district, and the distribution of grant-in-aid allotment had been vested in the District Committee by the rules of 1872. By the new resolution, the Joint-Inspector was declared to be the chief administrative officer of the department and was made immediately responsible for the state of secondary education throughout his circle. He was charged with the local administration of the grant-in-aid assignment, and with the supervision and control of aided schools. He was entrusted with the management of all middle and lower class Government schools, including the appointment and promotion of their teachers; the selection of text books in all schools other than primary; the examination for award of middle and lower scholarships; the supervision of *zilla* schools, of normal schools, and of Government college and the appointment and promotion of teachers in *zilla* schools.²²⁵

In order to utilise the services of the Joint-Inspector in the best possible way, and to enable him to engage himself more closely in the direct control and supervision of schools, he was by the same resolution relieved of the duty of auditing school bills and accounts. These duties were discharged by a department created in the office of the Director.

The new duties assigned to the District Committee were

224. P.I. Report, 1878-79, para. 31.

225. *Ibid*, para. 32.

the following. Besides assisting the Magistrate as a consultative council in matters connected with primary education, the Committee were to undertake the general supervision of the *zilla* school, including the maintenance of the building, the financial affairs of the school, and the settlement of questions of discipline that might be referred to them by the Head Master.

Coming to the subordinate officers of the department, the Deputy Inspector was charged with the supervision of all classes of schools in his district. He was declared to be subordinate to the Inspector in regard to secondary and to the Magistrate in regard to primary education. In order to avoid any confusion that might arise from this double subordination, it was provided that the Magistrate should have the first claim in his services. The Sub-Inspectors, were officers chiefly engaged in primary education under the Deputy Inspector. They were also placed in much closer subordination to the Magistrate. It was thought unnecessary to define the position of Commissioner in the new system. But it was declared that he must be kept as fully informed by Magistrates and Inspectors of the progress of education in his division, and enjoy ample opportunities of taking an active part in it as he might wish.²²⁶

The experience showed that this system of educational administration worked well. It introduced elements of uniformity and continuity which were essential for permanent educational progress. It was continued throughout the period under review with some modifications introduced by the Local Self-Government Act of 1885.

By 1887, the Local Self-Government Act III (B.C.) of 1885 had been brought into operation in Orissa. The immediate result was the dissolution of the District Committees of Public Instruction and the assumption of their obligations to elementary education by District Boards. To enable them to carry out the duties thus devolving upon them, the services of nearly all the Sub-Inspectors were transferred to the District Boards.²²⁷ In 1888, primary schools were transferred to the Local Boards

226. P.I. Report, 1878-79, pp. 33-35.

227. *Ibid*, 1887-88, para 40,

in the sub-divisions.²²⁸

The Deputy Inspector remained a departmental servant and controlled the Government schools. On the Board schools he exercised no authority, although he was expected to visit and report on their condition.²²⁹

In 1904, there were 7,781 schools, secondary and primary, under the tuition of 8,532 teachers and under the supervision of one Inspector, 3 Deputy Inspectors, and 30 Sub-Inspectors.²³⁰

Study of Oriya in the Schools

The discussion about the adoption of Oriya as the medium of education in Orissa, arose as early as 1862, when Patterson, the Executive Officer of Balasore, gave a suggestion for substituting Oriya for the Bengali language in the Government school at Balasore. He wrote: "As however Bengalee, and not Ooryah is taught in the Government school at Balasore, that Institution does not, in his opinion, afford to other Departments the assistance it would, were the vernacular substituted for Bengali, and the pupils being, as far as the school is concerned, ignorant of the language in which the business of the District is conducted, situations in public officers cannot be held out to them as inducements to, and as the reward of exertion."²³¹ In regard to this suggestion, the Lieutenant-Governor decided that Oriya should certainly be taught in the school as the vernacular of the district. The attention of the Director of Public Instruction was drawn to this order.²³²

In April 1863, Medlicott, the Inspector of Schools, reported that Oriya had been regularly taught in the Balasore Zilla School. On his inspection, he found that in every class, including the highest, the boys knew Oriya as well as Bengali. All the boys of the final class had, in 1863, selected Oriya as

228. P.I. Report, 1888-89, p. 11.

229. Herbert Alick Stark, *Vernacular Education in Bengal*, p. 149.

230. P.I. Report, 1903-04, p. 1.

231. BGP (Education), June 1862, No. 15, Commissioner of Orissa to Government of Bengal, No. 180, 13 May 1881.

232. *Ibid*, Government of Bengal to Commissioner of Orissa, No. 553, 3 June 1862.

the second language for the ensuing Entrance Examination. But he said: "They do so, because they say no case of a candidate having failed in Ooriyah is known; that the language possessing no literature is incapable of furnishing matter for a trying examination." He, therefore, proposed: "While the acquirement of a knowledge of this patois—sufficient for practical purposes—should be encouraged in the Lower classes of the first rate schools, we should endeavour to contract the mischief done by the University in raising to the dignity of language by discouraging the boys of the higher classes from selecting it as a means of evading the labour necessary for the acquirement of Bengalee."²³³ W. S. Atkinson, the Director of Public Instruction, concurred in the opinion expressed by the Inspector as to the propriety of discouraging students from taking up Oriya as their second language at the University Entrance Examination.²³⁴ He did not consider Oriya, a proper subject of study as a substitute for Bengali, for aspirants to a University Entrance Examination. In May 1863, he submitted for the consideration of the Lieutenant-Governor a definite proposal, which would enable every student who intended to present himself for the Entrance Examination to take up Bengali as his second language.²³⁵

On receipt of the proposal of the D.P.I., the Lieutenant-Governor requested the Commissioner of Orissa to state his opinion on the subject.²³⁶ In June 1863, R. N. Shore pointed to the great injustice involved in the proposal. He said: "The proposal in plain terms is this, that students from Orissa shall be subjected to the disadvantage of being required to pass in two foreign languages while all other candidates are examined only in one. Whether Mr. Atkinson really anticipates that

233. BGP (Education), June 1863, No. 143, Inspector of Schools, South-West Division to Director of Public Instruction, No. 1475, 16 April 1863.

234. *Ibid*, Director of Public Instruction to Government of Bengal, No. 1527, 30 April 1863.

235. *Ibid*, No. 145, Director of Public Instruction to Government of Bengal, No. 1760, 16 May 1863.

236. *Ibid*, No. 146. Government of Bengal to Commissioner of Orissa, No. 2663, 2 June 1863.

Bengalee will thus become the language is not quite clear, nor would anyone acquainted with the province think such a resolution possible. The proposal will, however, if carried out, have one tangible effect, viz., to close the university to all but the sons of Bengalee parents. I trust His Honour the Lieutenant-Governor will not permit such a blow to be struck at the cause of education in this province."²³⁷ The Lieutenant-Governor concurred in the opinion of the Commissioner and declined to entertain the proposal of the D.P.I.²³⁸

In 1865, T. E. Ravenshaw, the Commissioner of Orissa, called upon the attention of the Government of Bengal to the almost entire neglect of the Oriya language in the advanced classes of the schools in Orissa.²³⁹ Thereupon the Government of Bengal wrote to the D.P.I., the Commissioner of Orissa and the Inspector of schools to state their views on the remedy of this state of affairs. Thus there arose a great deal of controversy regarding the extent to which the Oriya language should be employed in the schools in Orissa.²⁴⁰

In August 1869, W. S. Atkison reiterated his former opinion. He advanced the following arguments in support of his view.

The language of Orissa was very intimately connected with the language of Bengal. They had identically the same alphabet. The letters had the same powers with the exception of one vowel which was pronounced differently in Oriya and Bengali. The written characters were at first sight different but on examination they were radically the same. They simply assumed a rounded form in Oriya. The vocabularies again were identical, and so was the grammar with the exception of the inflections of the nouns and verbs. The languages were thus so closely akin that Oriyas and Bengalis of ordinary intel-

237. BGP (Education), June 1863, No. 147, Commissioner of Orissa to Government of Bengal, No. 78, 9 June 1863.

238. *Ibid*, No. 148, Government of Bengal to Director of Public Instruction No. 6T, 19 June 1863.

239. *Ibid*, November 1869, No. 7, Government of Bengal to Director of Public Instruction, No. 3686, 8 November 1869.

240. P.I. Report, 1869-70, p. 60.

ligence could understand one another without any difficulty. He stated: "I have no doubt that spoken Bengali is more intelligible to inhabitants of Orissa than the spoken dialect of Yorkshire is to the inhabitants of Kent." In corroboration of this statement he quoted an example. Setonkarr, an English Bengali scholar knew nothing of Oriya but when sitting as a Judge on appeal cases from Orissa, he never found any difficulty in understanding Oriya documents that was read aloud in court.

Atkison did not believe that there was an extensive literature in the Oriya language. Therefore, to him, it ought not to maintain itself against all encroachments from Bengal. However interesting and even valuable in some respects, they were absolutely worthless for all educational purposes. They would certainly not assist the effort of the Government to promote the advance of modern civilization.

He further held that instead of attempting to develop a new literature and a new education, it would be very much to the advantage of the people to continue to learn Bengali. This would facilitate their own progress by the vast economy of time, labour and money which would be so secured.

He concluded: "If this view be adopted, Bengali should continue to be taught as now in all but elementary village schools, and even in these it would be well to teach the Bengali form of the alphabet concurrently with the Uriya."²⁴¹

R. L. Martin, the Inspector of Schools, differed from Atkison. He was in favour of the adoption of Oriya as the language of the schools of Orissa for the following reasons.

The Oriya language was very much akin to the Bengali inasmuch as they were both derived from the original Sanskrit. But in all the particles and inflections of the nouns and verbs they varied. Each was as a consequence an entirely separate language from the other.

There was not the slightest chance of the Oriya language

241. BGP (Education), November 1869, No. 3, Director of Public Instruction to Government of Bengal, No. 3405, 1 August 1869.

giving way to the Bengali. The reason was that the people who spoke it were inhabitants of a vast tract of country bounded on only about one-tenth of its limits by people who spoke Bengali. On all the other sides of Orissa (except where the sea formed the boundary) were people talking Telugu, Santhal, Hindi, and various languages of the Choles, Khonds and other hill tribes.

Oriya was not only spoken in some districts of Bengal, but also in a number of districts under the Madras and Central Provinces' Governments. In consequence of the unfortunate position of the tract where the language was spoken, it had never been fairly treated by the education department. The districts in the north were placed under the superintendence of an Inspector of schools, who was principally with schools in which Bengali was the vernacular. The districts in the south were similarly placed under a Madras Inspector more intimately concerned with schools which had Telugu as the vernacular. Consequently, the Oriya language could not progress equally with the languages of the adjoining countries and the Oriyas themselves were found inferior in education to the people speaking Bengali and Telugu. They had been pushed out of the more important appointments in the province.

R. L. Martin's conclusion was: "What after consideration, seems to be really necessary is to strike at the root of the matter and do in Orissa what has been, and is being done in Bengal."²⁴²

R. L. Martin was supported by the Commissioner of Orissa who was exclusively in favour of establishing Oriya as the recognised language of all schools in Orissa. A petition of the people of Orissa was cordially in favour of this proposition.²⁴³

This abolition of the Oriya language was considered impolitic in the opinion of several other European officials who held the administration of Orissa at the time. One of these

242. BGP (Education), November 1869, No. 6, Inspector of Schools, South-West Division to Director of Public Instruction, No. 2625, 30 March 1868.

243. *Ibid*, No. 7, Government of Bengal to Director of Public Instruction, No. 3686, 8 November 1869.

officials, John Beames of the Civil Service, in referring to this controversy in his "Comparative Grammar of the Modern Aryan languages of India," wrote: "We are bound to fight tooth and nail against the Bengalee theory by upholding the speech of landfolk and helping them to purify and improve it, to render it impossible for interested persons to establish any barrier between the free intercourse of all classes of society."²⁴⁴

The Lieutenant-Governor accepted the view of R. L. Martin and announced that in all schools in the province of Orissa upto *zilla* schools, the Oriya language should be the medium of instruction, and that in the *zilla* schools and in the High School at Cuttack it should be optional with all students to continue their studies in the Oriya language, if they wished it. The D.P.I. was accordingly asked to give early effect as circumstances would permit to this arrangement, in communication with the Commissioner and educational authorities.²⁴⁵

After it had been exposed for long to the storm of controversy, the Oriya language ultimately held its own. It was said that during the above controversy the individuality of the Oriya language was firmly established.

The difficulty which had to be met in giving effect to the order of the Government was the want of educational text-books. A Committee, known as the Cuttack Oriya School Book Society, was appointed in October 1869 for the purpose of considering and reporting on original works and translations in the Oriya language, and with a view to decide on the applications made to them for the publication of Oriya school books.²⁴⁶

The printing press had, since the date of the above controversy, rescued from oblivion much of what was valuable in Oriya literature. At the same time the advance of education contributed a fresh stock to it.²⁴⁷

244. *Vide Utkal Dipika*, 22 June 1875.

245. BGP (Education), November 1869, No. 7, Government of Bengal to Director of Public Instruction, No. 3686, 8 November 1869.

246. *Ibid.*

247. *Utkal Dipika*, 22 June 1875.

In 1880, the examination and selection of text-books for authorised use in schools of Orissa, were entrusted to a Committee known as Orissa Text-Book Committee.²⁴⁸

The Oriya school books in Orissa were supplied partly by local enterprise, and partly by the encouragement offered to the authors by Government and by the Maharaja of Dhenkanal. The patronage derived from these sources were in most cases judiciously distributed.²⁴⁹ When the authors and translators could not be expected to undertake the expense and risk of publication without liberal rewards, the Government generally came to their rescue.²⁵⁰

248. P.I. Report, 1880-81, para. 309.

249. *Ibid*, 1878-79, para 334.

250. *Ibid*, 1879-80, para 354.

CHAPTER VIII

Administrative Relation with the Tributary Mahals

British Relations with Orissa Tributary Mahals under the East India Company

Until the year 1803, the Tributary Mahals of Orissa were feudatories to the Bhonsla Maharaja of Nagpur.¹ The Chiefs of the hill tracts paid tribute and were under the obligation of military service to their suzerain. But they were independent in the internal administration of their states and were never wholly subdued by the Mughals or the Marathas.²

Those states were taken over by the British from the Marathas in 1803 with the rest of Orissa. Before the conquest of Orissa, only the state of Mayurbhanj had become a feudatory of the East India Company. At the approach of the British troops in 1803, the other Chiefs recognised in them their deliverers from the Maratha tyranny and made no attempt to bar their progress. They willingly executed agreements binding themselves to maintain submission and loyalty to the East India Company's Government and pay annual tribute.³

1. Memorandum on the Revenue Administration of the Lower Provinces of Bengal, 1873, p. 49.

2. BJP (Political), December 1884, Government of Bengal to Government of India, 1348P, 17 November 1884.

3. Maddox Report, Vol. I, p. 409.

In a newly-conquered country, and with the Maratha power not yet wholly broken, the British Government felt the need to conciliate "the Chiefs of these mountainous regions and their barbaric subjects." It was considered that a liberal policy was likely to satisfy the pride of the Rajas and to bind them to the British Government. Therefore, they were guaranteed freedom from interference. By Section 36 of Regulation XII of 1805, the Tributary Mahals were exempted from the operation of the Government Regulations. By Section 37 of the same Regulation, the privilege was extended to Mayurbhanj.⁴

True to the agreements, the British Government avoided interference in the internal administration of the states. But this policy of non-intervention was soon abandoned for a policy of vigorous intervention mainly for two reasons.

The position of the East India Company changed in ten years' time (1803-1813) from being one of the powers of India into that of a paramount power. The Company stood no longer in need of help from minor states for the security of their dominion. It was, therefore, considered necessary that instead of promoting the goodwill and co-operation of the chiefs, their allegiance and loyalty must be ensured.⁵

At the commencement of their rule, the British Government thought that Chiefs of Tributary Mahals would be "the conservators of the public peace and the distributors of justice". But in 1814, it was reported that some of them were indulging in serious crimes. The Chief of Dhenkanal was said to have killed one person and tortured a few others. Similarly, the Chief of Mayurbhanj was said to have killed a man. The Government directed the Magistrate of Cuttack to take cognizance of such cases. Enquiries were conducted. Owing to the want of evidence, the Chiefs were acquitted. But the Chief of Dhenkanal was convicted of other charges. The Government, however, came to believe that the Chiefs were committing heinous

4. Maddox Report, Vol. I, pp. 409-410.

5. K. M. Panikkar, *Introduction to the Study of the Relation of Indian States with the Government of India*, p. 19.

crimes. It was felt that they could not be left uncontrolled in their administration.⁶

Thus the Government decided to follow a policy interference in the affairs of the Chiefs, firstly, to command their obedience, secondly, to secure the interest of the people in the Tributary Mahals.

Accordingly, the office of the Superintendent of the Tributary Mahals was established in 1814. By a Regulation of that year, he was to keep himself informed of their proceedings, levy quit rents due from them and endeavour to establish such control over the conduct of the Rajas as would prevent the Commission of crimes and outrages.⁷

The jurisdiction of the Superintendent was further defined by Regulation XI of 1816 and Act XXI of 1850. The Chiefs were to administer civil and criminal justice under the control of the Superintendent of the Tributary Mahals. Heinous offences which required more than two years' simple imprisonment, and all capital cases were to be sent to him. He was vested with authority to dispose of claims to inheritance and succession. An appeal from a decision would lie to the Government of Bengal. The Magistrates of Puri and Cuttack were to work as ex-officio Assistants to the Superintendent. The Superintendent had an Assistant, who exercised the full powers of a Magistrate and who tried such cases as the former made over to him. It was provided that the states during the minority of the Rajas, or when for political reasons they were placed under attachment, would be managed by the Superintendent through a Government officer called Tahsildar.⁸

In 1821, the Government ruled that interference of the Superintendent should be chiefly confined to matters of a political nature; to the suppression of feuds and animosities prevailing among the Rajas, or between the Rajas and their subordinate feudatories; to the correction of systematic oppression

6. Bengal Revenue Consultations, October 1814, No. 43, Government of Bengal to Richardson.

7. Chapters of Standard informations taken from the Bengal Administration Report, 1901-1902, p. 58.

8. L. E. B. Cobden-Ramsay, *Feudatory States of Orissa*, p. 25.

and cruelty practised by any of the Rajas or by their officers towards the inhabitants; to the cognizance of any apparent gross violation by them of their duties of allegiance and subordination; and to important points which might lead to violent outrage and confusion, or to contempt of the British Government.⁹

In 1839, Henry Ricketts proposed to introduce some rules for the administration of civil and criminal justice in the Tributary States. But his proposals were disapproved. A. J. M. Mills, who succeeded Henry Ricketts as Superintendent subsequently submitted a revised set of rules in 1840. They too were not sanctioned, as the Government of India thought it better not to pass any regular or defined rules at that time. But the Superintendent was directed to be guided by the spirit of those proposals, the substance of which was as follows:

- (1) The Rajas should not exercise the power of life and death over their subjects.
- (2) The practice of *Sati* and human sacrifices should be abolished. All persons convicted of aiding and abetting in such practices should be declared guilty of culpable homicide.
- (3) The Rajas should not engage in hostilities with their neighbours.
- (4) The Superintendent should take cognizance of charges of murder, homicide, torture, robbery and other crimes of enormity, and try any criminal whom the Rajas might commit to him.
- (5) The Rajas should have control over their subjects and the Superintendent should interfere only in extreme cases.
- (6) The Superintendent should be vested with the cognizance of all criminal offences in the states as well as offences committed by the inhabitants of any Tributary State within the boundaries of another state

9. Chapters of Standard information taken from the Bengal Administration Report, 1901-1902, p. 58.

and by all persons, not inhabitants of the Tributary States.

- (7) The Rajas were liable to such punishment as the Government might deem adequate, extending to death and confiscation of their states in cases of murder, and in other cases to such punishment in person or property as might seem fitting.
- (8) The Rajas were to be answerable for all property stolen within their territories under certain circumstances.
- (9) The Superintendent should not enforce the personal attendance of the Rajas without the permission of the Government.¹⁰

The rules and regulations mentioned above, governed the British relation with the Tributary Mahals throughout the period under review. They opened the door to British interference in the affairs of states.

Intervention thus became a settled policy. Intervention was often made by the Company's Government to annex territories either as a solution of the problem of misgovernment or disloyalty of the ruler.

In 1839, Jagannath Srichandan, the Raja of Banki, murdered one Raghunath Paramaguru and his son. It was believed that that was not the first time he had wantonly sacrificed life to gratify his vile passions. He was, therefore, made a state prisoner and his state was declared forfeited to Government in 1840. Another Tributary Mahal which called for British intervention was Angul. Somanath Singh, the Raja of Angul proved refractory. He aided the malcontents of Baud in their opposition to the officers of Government engaged in the suppression of human sacrifices. He caused two villages in Khandpara and Daspalla to be destroyed. When British troops were ordered against him, he made preparations for resisting them by force of arms. In 1847, Angul was, therefore, declared for-

10. BJP (Political), December 1884, Government of Bengal to Government of India, No. 1348P, 17 November 1884.

feited to the British Government. The deposed king was detained as a state prisoner for life at Hazaribagh.¹¹

Since then Angul and Banki remained under the direct administration of the Superintendent. The Tributary States, formerly 19 in number, got reduced to 17. They were: Athgarh, Athmallik, Baud, Baramba, Daspalla, Dhenkanal, Hindole, Khandpara, Keonjhar, Mayurbhanj, Narsinghpur, Nayagarh, Nilgiri, Pal Lahera, Talcher, Tigiria and Ranpur.¹²

The annexation of Banki and Angul on the ground of misgovernment or disloyalty had been harsh and arbitrary. Several important states of India were victims to the policy of annexation pursued by the Government of the East India Company. That created a spirit of uneasiness and despair among Indian rulers. It was said that the short-sightedness of the policy pursued towards the states between 1813 and 1855 became clear in the conflagration of 1857.

Relation with the Tributary Mahals under the Crown

The Revolt of 1857 and the subsequent assumption of direct sovereignty by the Crown marked the end of a chapter in the history of the British relations with the Tributary States of Orissa. The British Government laid down the principle that annexation of territories as a solution either of the problem of misgovernment, or of disloyalty of the ruler, should be ruled out. The *Sanads* (No. XL) were conferred on the Rajas by Lord Canning in 1862, guaranteeing to the right of adoption. In 1874, they received *Sanads* (No. XLI) conferring on them the hereditary title of Raja.¹³

The Lieutenant-Governor, Sir Richard Temple, in a *Darbar* held at Cuttack on 25 November 1874, said:

"I congratulate you on being presented with *Sunnads*, signed by His Excellency the Viceroy, and with *Khilluts*, in

11. BJP (Political), December 1884, Government of Bengal to Government of India, No. 1348P, 17 November 1884.

12. Maddox Report, Vol. I, p. 410.

13. BJP (Political), December 1884, Government of Bengal to Government of India, No. 1348P, 17 November 1884.

formal recognition of that status of chiefship which you and your ancestors have actually enjoyed for generations. I hope that you will regard the ceremony which has just been performed as an additional proof of the good will of the British Government towards you; and that you will hereby receive fresh encouragement to persevere in the discharge of your duty as loyal feudatories, and as just rulers over the people who dwell in your territories.” He added:

“Avoid, I entreat you, disputes and contentions among yourselves. Assume a constant share in the administration of your states. Keep your affairs in your own hands and under your own eyes, and do not leave too much to your Ministers and Agents. Continue to make moderate and equitable settlements with your *ryots*. Educate your people. Open out roads, Foster local trade between your states and the fertile delta of Mahanuddy. Build boats on your rivers, which navigate canals now under construction. Exchange the products of your native hills, the timber, the oilseed, the lac, the resin, the iron ore—for the products of other lands; such as the piece goods of England, the copper of Europe, the betelnut of Bengal and the species of Ceylon.” He, however, concluded: “In all things follow the advice of your excellent Commissioner, whom you may always regard your best friend.””

There developed a new policy which accepted the moral responsibility of the British Government for a minimum of good Government, security, peace and order within the territories of the Tributary States. Consequently, interference took place in internal affairs only in cases of real oppression and injustice, disputed succession and disturbances; and in external affairs, in cases of hostility between two states. The remark of K. M. Panikkar on the British relation with Indian States under the Crown, is also applicable in the case of Orissa states. He wrote: “If it definitely put a stop to annexations, it introduced in its stead rule by loaned officers, by nominated Dewans,

14. BGP (Political), December 1874, Government of Bengal to Government of India, No. 4510, 9 December 1874.

and strict control through Residents. The attempt was to aggrandise not the territories but the power of the Central Government, and to make the Indian States integral portions of the Indian polity.'¹⁵

Disturbances in Baud

Early in 1862, a disturbance broke out in *Killa Baud*. It originated in some dispute between the Rajas of Sonepur and Baud respecting the right to a tract of country called Bara Bhaya Des. It was principally inhabited by the *Kandhs*. The country was under the nominal sway of Baud. It was alleged by the people and the Raja of Sonepur that it was twice made over to Sonepur by the Baud Raja, once in return for some assistance rendered by the Raja of Sonepur and once as a marriage dowry. In 1830, a suit was brought by the Sonepur Raja, for the possession of the whole or a portion of this territory called Pachera. The suit was decreed in his favour by the Superintendent. Pachera was declared to belong to Sonepur. The *Kandhs* were, however, very anxious to get back Pachera, and applied to the Baud Raja for his assistance but without success.¹⁶

By this arbitrary and oppressive conduct for a number of years, the Baud Raja had been exasperating the *Kandhs*. They were of opinion that the Raja could not have carried matters with so high a hand if their strength had not been broken by the separation of Pachera from Bara Bhaya Des, and the loss of their head Zamindar. The smouldering discontent at last broke out into open rebellion.

On one occasion, the Raja had proceeded to a place called Kumghat on the Tel river, some ten or twelve miles south of Sonepur. There he was surrounded and attacked by more than a thousand *Kandhs*. Five of his *paiks* were killed on the spot and five others wounded. A party of constables were sent to his aid by the Khajarpura Tahsildar. The Havildar in com-

15. K. M. Panjkar, *Introduction to the Study of the Relations of Indian States with the Government of India*, pp. 35-37.

16. RAB, 1861-62, p. 71,

mand of the party succeeded in effecting the release of the Raja.¹⁷

Certain terms were offered to the rebel *Kandhs* by the Superintendent of the Tributary Mahals with a view to effecting a settlement of their grievances. At first they agreed to accept the terms, but subsequently retracted, and assumed a position which made it necessary to employ force to coerce them. Several expeditions were undertaken against the rebels. The Superintendent made every endeavour to bring these wild and uncivilised men back to their allegiance.¹⁸

On 13 June 1862, the leader of the *Kandh* outbreak, Narain Mallick and all the principal *Sardars*, save one, surrendered. This successful result was due both to Major Smith and his Assistant Harekrushna Das.¹⁹

In the southern part of the disturbed area, where some of the *Kandhs* still held out, Lieutenant Dolmage undertook constant expeditions against them. He inflicted on them a crushing defeat at Phutpluntihole.²⁰ Thereafter no subsequent disturbance took place. The only rebel leader of note, Balram Mallik surrendered. The troops were withdrawn.²¹

After the suppression of the outbreak, the leaders were tried and sentenced to imprisonment for terms varying from fourteen years' transportation to one year's simple imprisonment. The rewards to the extent of about 1,200 rupees, were distributed to those whose service merited distinction.²²

Peace being restored, R. N. Shore, the Superintendent of the Tributary Mahals, enquired into the grievances of the *Kandhs*. He came to know that, even while fighting against British forces, they had never relinquished their wish to get back Pachera. The Baud Raja, though an ignorant and in-

17. RAB, 1861-62, p. 71.

18. *Ibid.*

19. BGP (Political) June 1862, No. 63, R. N. Shore to Government of Bengal, No. 54, 13 June 1862.

20. *Ibid.*, No. 83, R. N. Shore to Government of Bengal, No. 58, 17 June 1862.

21. RAB, 1862-63, p. 94.

22. *Ibid.*

competent ruler, was not tyrannically disposed. He allowed himself to be misled by his brother and Dewan, and his long misrule culminated in disturbances.²³

A fine of Rupees 1,000 was imposed on the Baud Raja. He was warned that in the event of fresh disturbances arising from similar courses, he would not receive the support of the Government, but that other arrangements should be made for efficient administration of the country.²⁴

Disturbances in Athmallik

Athmallik was involved in a series of disturbances in 1863. The trouble began from some disputes between the Raja and a feudatory of his, named Bala Biswal. Those disputes were settled for a time by a readjustment of the revenues paid by Bala Biswal. Fresh difficulty arose, however, consequent on Bala Biswal having brought a good deal of extra land into cultivation, for which he refused to pay extra rent. He was, therefore, banished from Athmallik with the concurrence of the Superintendent, G. F. Cockburn.²⁵ But after some time he entered Athmallik with a number of followers, and with the assistance of the people, ravaged the country in every direction. A large number of villages were burnt down, and were plundered.²⁶ R. N. Shore, the Superintendent thought that if disturbances of this nature were not speedily checked, they might spread and eventually be the source of much embarrassment.

In May 1863, he himself proceeded to Athmallik to quell the disturbances.²⁷ He not only employed a force of about 100 of the 8th Police Battalion, but also had to call out even a Company of the 43rd Madras Native Infantry at Cuttack. The forces in small proportions were distributed over the whole

23. BGP (Political), July 1862, No. 17, R. N. Shore to Government of Bengal, No. 55, 13 June 1862.

24. RAB, 1862-63, p. 94.

25. BGP (Political), March 1863, No. 71, R. N. Shore to Government of Bengal, No. 265, 20 March 1863.

26. *Ibid*, May 1863, No. 4, Superintendent of Tributary Mahals to Government of Bengal, No. 282, 2 April 1863.

27. *Ibid*, No. 10, R. N. Shore to Government of Bengal No. 1, 1 May 1863.

country. An expedition was led against Pathurgarh, a stronghold, to which the malcontents had removed their wives and children. Its fall weakened their position.²⁸

Bala Biswal fled to Sonepur, but was captured. He was sentenced to 14 years' rigorous imprisonment.

Other prisoners who were implicated in disturbances, were punished with imprisonment varying from 14 years to one year.²⁹

Disturbances in Bamanghati

Bamanghati was a tract of country occupying the northern extremity of Mayurbhanj and bordering on Singhbhum. In 1866, it was in a disturbed condition for a number of causes.³⁰

The most important cause was the inefficiency of the King of Mayurbhanj. Raja Sreenath Bhanj was a foolish and cruel person. He had neither energy nor intelligence to shake off the mob of worthless followers by whom he was surrounded. T. E. Ravenshaw, the Superintendent of the Tributary Mahals, said that the Raja had not one single officer capable of conducting his affairs and was himself totally ignorant of every thing that went on.³¹ He liked to amuse himself always with a horse instead of attending to his royal duties.

In such circumstances, the condition of the people became hopelessly wretched. Every man who had power suppressed every one who had not. The king's *amlas* forcibly took money from the people by various ways. If the people were unable to pay, they took money by selling their cows, oxen and buffaloes.³² The Bamanghati *ryots*, thus, suffered considerably from

28. BGP (Political) November 1863, No. 77.

29. *Ibid*, No. 76, R. N. Shore to Government of Bengal, No. 166, 29 October 1863.

30. *Ibid*, January 1865, No. 16, Superintendent of Tributary Mahals to Government of Bengal, No. 74, 8 August 1864.

31. *Ibid*, May 1866, No. 6, T. E. Ravenshaw to Government of Bengal, No. E, 24, April 1866.

32. *Ibid.*, May 1865, No. 23, Petition of the ryots of Bamanghati to the Lieutenant-Governor of Bengal, 21 November 1864,

the Raja's vacillation and from the oppression and exactions of his *amlas*.³³

Another cause of the disturbance was the bad revenue policy of the king. The settlements of land revenue had been constantly changing. In the course of one man's experience, several settlements were effected. In each settlement the land revenue was increased.³⁴ According to Ravenshaw, "there appears to be neither fixed rents or times of payment, some pay twice, some not at all."³⁵ All this substantially increased the volume of discontent.

Another cause of the dispute between the Raja and his subjects was that the Raja disregarded the age-old customs of the *Santhals*. Certain dues were payable to the *Santhal* chiefs by the people which they could not forego without losing caste. But the Raja demanded those dues from the cultivators. Though he was directed by the Superintendent to abide by that custom, the Raja did not do so. Unmindful of the reactions of the people, he exacted from them various illegal cesses.³⁶

The famine conditions of 1866 also supplied material for disturbances. In 1866 Orissa was visited by a famine of most appalling character. It affected the state of Mayurbhanj including Bamanghati *pargana*. Ravenshaw wrote: "The scarcity of the present season has reduced the poor cultivators to the verge of starvation. Cholera and dysentery are raging, and my tents are surrounded by hundreds of human skeletons, clamouring for food. It has never fallen to my lot to witness anything so painfully distressing."³⁷ Discontent in such circumstances was easily swollen into a rage of serious disturbances.

33. *Ibid*, May 1866, No. 5, T. E. Ravenshaw to Government of Bengal, No. 5, 16 April 1866.

34. *Ibid*, No. 7, Dr. W. Heyes, Deputy Commissioner of Singhbhum to Superintendent of Tributary Mahals, No. 1, 21 April 1866.

35. *Ibid*, No. 6, T. E. Ravenshaw to Government of Bengal, No. E, 24 April 1866.

36. *Ibid*, May 1865, No. 27, R. N. Shore to Government of Bengal, No. 241, 13 April 1865.

37. *Ibid*, May 1866, No. 6, T. E. Ravnshaw to Government of Bengal, No. E. 24 April 1866.

In a petition written to the Lieutenant-Governor, Sir Cecil Beadon, in November 1865, the *ryots* of Bamanghati solicited for his kind consideration to save them from the hands of the 'profligate' king.³⁸ At the instance of the Lieutenant-Governor, R. N. Shore, the Superintendent of the Tributary Mahals, sent his Assistant, Babu Harekrushna Das, to enquire into the grievances of the *ryots*. The latter stayed for six weeks at the Raja's capital, Baripada and succeeded in effecting an agreement between the Raja and his subjects.³⁹

But the king did not act up to his agreement.⁴⁰ Naturally, discontent increased as there was no possibility of redress. Dr. W. Hayes, the Deputy Commissioner of Singbhum, remarked: "The present generation must pass away before he can again acquire the confidence of his *ryots*."⁴¹

Soon disturbances broke out and Bamanghati was left at the mercy of the malcontents. The Raja's authority became extinct since March 1866. The country was plundered in all directions by two leaders, Bhunda and Kartik, assisted by a large number of followers. The robberies were done in broad day light. But the Raja adopted no measures to restrain them.⁴²

By middle of April 1866, the king collected one thousand armed followers and marched from his capital towards Bamanghati with a view to suppressing the rising.⁴³ The Commissioner of Chotanagpur, E. T. Dalton, wrote to the Government of Bengal that any attempt on the part of the king to enter Bamanghati with a force would make matters worse.⁴⁴

38. BGP (Political), May 1865, No. 23 Petition of the *ryots* of Bamanghati to the Lieutenant-Governor of Bengal, 21 November 1864.

39. *Ibid.* No. 27, R. N. Shore to Government of Bengal, No. 241, 13 April 1865.

40. *Ibid.*, May 1866, No. 5, T. E. Ravenshaw to Government of Bengal, No. S, 16 April 1866.

41. *Ibid.*, No. 7, Dr. W. Hayes to Superintendent of Tributary Mahals, No. I, 21 April 1866.

42. *Ibid.*

43. *Ibid.*, No. 5, T. E. Ravenshaw to Government of Bengal No. S, 16 April 1866.

44. *Ibid.*, No. 2, E. T. Dalton to Government of Bengal, No. 730, 16 April 1866.

The same view was expressed by T. E. Ravenshaw. He immediately despatched a message ordering the king to return with all his followers.⁴⁵ The king complied with the instructions and returned to Baripada.⁴⁶

Prompt action appeared necessary to put an end to the disturbances. Dr. W. Hayes, the Deputy Commissioner of Singbhum, was instructed to proceed with a body of police on 7 July 1866.⁴⁷ In compliance with the recommendations of Lieutenant-Colonel E. T. Dalton, the Commissioner of Chotanagpur, the authority of the king was suspended.⁴⁸

Dr. Hayes showed courage, tact and judgment in dealing with the situation. He wrote: "I am afraid that if there had been any longer delay in my coming into the country, the consequence would have been very serious indeed." He captured the leaders, Bhunda, Chakra, Kartika and others. A lot of arms were seized. Much of the plundered property were recovered. He made best endeavours to reestablish peace and order.⁴⁹

Dr. W. Hayes wrote to the Government of Bengal: "It is impossible to restore the Rajah's authority. If it is attempted, the people will rise against it, and I would, therefore, suggest that, for the present I may be vested with the civil and criminal administration of the *pergannah* to be carried out with a small body of police of one Jamadar and eight men located at Baman-ghati *gurh* and supplemented by the *Sirdars* and *Majis* of the *pergannah* and other rural police."⁵⁰ The Lieutenant-Gov-

45. BGP (Political), No. 5, T. E. Ravenshaw to Government of Bengal, No. S, 16 April 1866.

46. *Ibid.*, No. 6, T. E. Ravenshaw to Government of Bengal, No. E, 24 April 1866.

47. *Ibid.*, June 1866, No. 35, Government of Bengal to commissioner of Chotanagpur, No. 2004, 7 April 1866.

48. *Ibid.*, May 1866, No. 4, Government of Bengal to commissioner of Chotanagpur, No. 50T, 25 April 1866.

49. *Ibid.*, No. 8, Dr. W. Hayes to Superintendent of Tributary Mahals, No. 2, 21 April 1866.

50. *Ibid.*, No. 7, Dr. W. Hayes to Superintendent of Tributary Mahals, No. 1, 21 April 1866.

ernor accepted his suggestion. He was vested with the same civil and criminal powers in Bamanghati as those he exercised in Singbhum, but subject to the authority of the Superintendent of the Tributary Mahals.⁵¹

These orders alarmed Raja Sreenath Bhanj who wrote a petition to the Lieutenant-Governor, Sir Cecil Beadon on 9 March 1867. The petition runs as follows: "That your petitioner has learnt with much regret and pain the order passed by Your Honour, directing the temporary suspension of his authority in the whole of his *pergannah* Bamanghattee, and vesting Dr. Hayes, the Deputy Commissioner of Singhbhum, with the civil and criminal administration of that *Pergannah*. As this order has subjected him to great dishonour and lowered him in the estimation of his own *ryots*, as well as of the Rajahs of other *killahs* who are far inferior to him in rank and position, and as it interferes with the rights and privileges which he and his ancestors have hitherto been permitted by the liberal British Government to enjoy, your petitioner has ventured to trouble Your Honour with this representation in the firm hope that justice will be done to him." Further, he showed that the circumstances of the case did not warrant the adoption of such harsh and arbitrary measures.⁵²

In reply the Lieutenant-Governor wrote: "He has no desire to retain the management of the *pergannah* in the hands of Government longer than may be absolutely required by a due regard for the welfare of the people of Bamanghattee and of the Rajah himself; but its restoration to him can take place only when His Honour shall see reason to believe that the ill-feeling between the Rajah and his *ryots* has altogether subsided, and when the Rajah, having dismissed his bad counsellors, shall, by his administration of the portions of his estates yet left to his management, have given satisfaction to the Government as well to the Superintendent of the Mahals."⁵³

51. BGP (Political), No. 9, Government of Bengal to Superintendent of Tributary, Mahals, No. 311T, 5 May 1866.

52. *Ibid.*, June 1867, No. 23, Petition of Raja Sreenath Bhanj, 9 March 1867.

53. *Ibid.*, No. 28, Resolution by the Lieutenant-Governor of Bengal, 18 June 1867.

Under Dr. W. Hayes' management the situation improved rapidly. All outrages and hostilities ceased. The people became quiet and contented. All irregular *abwabs* imposed by the king on the people were abolished. A complete settlement of land revenue was effected and care was taken not to provoke the dissatisfaction. The people were allowed to bring all the waste lands under cultivation free of assessment during the currency of settlement. The settlement was fixed for 10 years with effect from 1867.*

In 1868, the Raja of Mayurbhanj became desirous of assuming the management of Bamanghati. But he was asked that he should first consolidate his authority in the rest of Mayurbhanj and effect a proper settlement and reform of management there before pressing the Government to restore Bamanghati.

Meanwhile, the ten years' settlement of Bamanghati expired. It was, with slight modifications, resettled for a further term of ten years in 1877. Since then T. E. Ravenshaw began correspondence with Dr. W. Hayes on the subject of restoring Bamanghati to the king of Mayurbhanj.

In reply, Dr. Hayes wrote: "I am strongly of opinion that the estate should now be restored to the present Maharajah who was in no way connected with or concerned in the mismanagement of his uncle, the late Rajah, who led to its attachment..... I think, the majority of the people of Bamanghati are desirous of being again placed under their own Maharajah. They have nothing to fear now of being disturbed in possession of their lands, and they have been sufficiently long under Government management not to permit oppression or not to know how to obtain redress." But he suggested the restoration of Bamanghati on the following conditions:

- (1) One of the Raja's younger brothers should live in Bamanghati as his representative, and be vested with power in subordination to him.
- (2) The Headmen of villages should continue to be

54. BGP (Political), May 1878, T. E. Ravenshaw to Government of Bengal, No. 461B, 19 May 1878.

vested with police powers to investigate cases of crime and arrest offenders.

T. E. Ravenshaw added one more condition. That is, the Raja should maintain the settlement of the estate for the existing term of 10 years and agree to maintain existing schools, and to keep open the roads that had been constructed. He wrote to Sir Ashley Eden, the Lieutenant-Governor, that the Bamanghati estate might be finally transferred to the direct management of the king of Mayurbhanj on his acceptance of the above conditions.⁵⁵

The Maharaja agreed to the conditions, and accordingly Bamanghati was restored to him on 1 April 1878.⁵⁶

Disputed Succession of Keonjhar

The Maharaja of Keonjhar, Gadadhar Bhanj died at Tribeni on the Ganges on 22 March 1861. Trevor, the Superintendent of the Tributary Mahals, received three reports from Tribeni, having reference to the fact. The one purporting to be written by the Raja stated that he was attacked by cholera; that he did not expect to survive; and that his eldest son, Dhananjay, or failing him the younger son, Chandrasekhar, was his heir. The second report dated a day later, was from the Dewan or *Bewartha*. It announced the Raja's death, but made no mention of the Raja's wishes in regard to the succession. The third report was from the two attendants who accompanied the Raja. They stated that they had seen the Raja sign the report in regard to succession.⁵⁷

On the news reaching Keonjhar, the Dewan's brother, Basudeo Dhal who had been appointed by the Raja as his Lieutenant during his absence, immediately placed Dhananjay on the throne. That was on 3 April. The report of the proceedings was received by the Superintendent on 8th.

55. BGP (Political), May 1878, T. E. Ravenshaw to Government of Bengal, No. 461B, 10 March 1878.

56. *Ibid*, Government of Bengal to Superintendent of Tributary Mahals, No. 2687, 2 May 1878.

57. *Ibid*, June 1862, Proceedings of the Court of the Superintendent of Tributary Mahals, 19 March 1862.

On 9th an address was received by the Superintendent from the Maharaja of Mayurbhanj, dated 4 April. The Maharaja stated that he had received news of the Raja of Keonjhar's death, and that the Raja when passing through on his way to the Ganges, had adopted his (the Mayurbhanj Maharaja's) grandson Brindaban Chandra Bhanj. He added that Brindaban Chandra Bhanj was, therefore, the successor to the throne.

Finally on 12 June, a document purporting to be an *Anumati patra* from the king to his only surviving queen, was presented by the queen's Agent, Kishen Singh, before the Superintendent. In it the queen was directed, in accordance with the adoption, to seat Brindaban on the throne and failing him to adopt Brindaban's brother, Gokul Chandra. This document bore the date of the king's death, viz., 22 March 1861. But it was received with a delay of seven weeks from the death of the king, and of nearly six weeks from Dhananjoy's accession.

The question now before the Superintendent was: "Which of the claimants both of whom are minors, has the *prima facie* right to be recognised as Raja."*

According to the answer to No. 12 of the *Pachees Sawal* (a set of 25 questions mainly on the Garjat law of inheritance, which were popularly propounded by the Superintendent of the Tributary Mahals in 1814 and replied by all the Chiefs), a *phulbibahi*'s son could succeed in default of a legitimate issue or near relation. From the enquiries, the Superintendent was quite satisfied that Dhananjoy Bhanj was the son of a *phulbibahi* and not of a common slave woman, and that both he and his younger brother were treated by the Raja as his sons.

On the other hand, the Mayurbhanj party led by Rani Bishnu Priya, widow of the late king of Keonjhar, maintained that putting aside the argument founded on the adoption law, some member of the Mayurbhanj family would still be entitled to succeed for obvious reasons. Both the families descended

58. BGP (Political), June 1862, Proceedings of the Court of the Superintendent of Tributary Mahals, 19 March 1862.

Lieutenant-Governor of Bengal against the decision of the Superintendent of the Tributary Mahals.⁶¹ The Lieutenant-Governor declined to interfere with the orders of the superintendent.⁶²

Eventually, the matter was brought before the High Court of Calcutta by Bishnu Priya, but the case was dismissed. Thereafter, she preferred an appeal to the Privy Council.⁶³

The Lieutenant-Governor saw no reason why the suit now pending before the Privy Council should prevent Dhananjoy from receiving the rights which the courts in India acknowledged to be his. Accordingly, Dhananjoy Bhanj was allowed to take charge of his estate as soon as he came of age.⁶⁴ In November 1867, he was placed in possession of Keonjhar.⁶⁵

The announcement of Dhananjoy's succession was the signal for a strong outbreak of opposition on the part of Rani Bishnu Priya and the hill tribes of *Bhuyas* and *Jawangs* who were devotedly attached to her.⁶⁶ The Rani and her party made their followers swear an oath to resist Dhananjoy's installation to the utmost. Their energies were directed to the capture of every individual known to be favourable to the young Raja, and to hold the *ghats* and passes in order to prevent the entry of Government troops.⁶⁷

At the same time deputations were sent to Calcutta to represent their case to the Lieutenant-Governor.⁶⁸

61. BGP (Political), June 1862, No. 20, F. Goldsbury, Counsel for the Rani of Keonjhar to Government of Bengal, 22 May 1862.

62. *Ibid.*, No. 23, Government of Bengal to F. Goldsbury, No. 721, 13 June 1862.

63. *Ibid.*, November 1867, No. 20, Resolution by the Lieutenant Governor of Bengal, 8 November 1867.

64. *Ibid.*, February 1867, No. 16, Government of Bengal to Superintendent of Tributary Mahals, No. 807, 15 February 1867.

65. *Ibid.*, November 1867, No. 20, Resolution by the Lieutenant Governor of Bengal, 8 November 1867.

66. RAB, 1867-68, pp. 257-59.

67. *Ibid.*, January 1869, No. 10, Ravenshaw on Government of Bengal, No. 375, 14 October 1868.

68. RAB, 1867-68, pp. 257-59.

The malcontents remained in revolt for some months. But finally, a formal reconciliation was effected without resort to coercion. The Rani consented to withdraw her opposition. The hill people, *Bhuyas* and *Jawangs* were induced formally to accept Raja Dhananjoy as their Chief.⁶⁹

The peaceful conclusion of the Keonjhar disturbances did not prove to be lasting. Suddenly in April 1868, scarcely 3 months after the cessation of disturbances, a fresh outbreak occurred. The Superintendent of the Tributary Mahals suspected the dowager Rani and the Maharaja of Mayurbhanj, of secretly fomenting disaffection through a rebel leader named Ratna Naik.⁷⁰ Ratna Naik, who exercised extraordinary influence over the hill people, succeeded in coercing the *Bhuya Sardars* into withdrawing their allegiance from Raja Dhananjoy. They reassembled in armed bands, guarding all the passes leading to the *gark*. They plundered and burnt the houses of those who were staunch adherents of the young king. Some of them were seized and carried off to the hills as prisoners. The malcontents also burnt the Dewan's house. They regarded him with great distrust as the main instrument through whom the popular desire of obtaining Brindaban as Raja, had been frustrated.

After some time, having secured the cooperation and assistance of almost the entire population, they proceeded in a body to the *gark* on 1 May, overpowered the police guards, rushed into the Raja's palace, seized the Dewan and some of the Raja's police officers, and carried them all away captives to the hills. Most of them were detained many weeks and the Dewan (*Bewartha*) was murdered in cold blood. The whole town of Keonjhar was plundered from end to end on the day of the Dewan's abduction and remained in the hands of the malcontents. They set up a provisional Government and commenced the management of affairs on their own account.⁷¹

69. BGP (Political), January 1869, No. 10, Ravenshaw to Government of Bengal, No. 375, 14 October 1868.

70. C. E. Buckland, *Bengal under the Lieutenant-Governors*, Vol. I, p. 421.

71. BGP (Political), January 1869, No. 10, Ravenshaw to Government of Bengal, No. 375, 14 October 1868.

The Raja became alarmed for his own safety. He found his own *paiks* to be untrustworthy and applied to the Government for immediate aid. Dr. W. Hayes, the Deputy Commissioner of Singbhum, who possessed some influence over the people, was ordered to the spot with a force. Reinforcements were held in readiness in Balasore.⁷² The Superintendent addressed a *parwana* to the *Bhuyas* and another to the dowager Rani and the Maharaja of Mayurbhanj. He called upon the former to disperse immediately and reminded them of their promises to the Raja. He warned the latter of the consequences of the aid given to the Keonjhar hill people.⁷³

Dr. W. Hayes arrived from Chaibassa three days after the Dewan's capture, and saved the Raja from a similar fate by disarming the besiegers, and turning them out of the *garh*.⁷⁴ Being unaccompanied by any sufficient police, Dr. W. Hayes was at once cut off from all communication either with Chai-bassa or Cuttack.

Poole, Assistant Superintendent of *Garjat* police, with a party of 40 constables proceeded to Anandpur with special instructions to keep open the communication between Anandpur and Keonjhar *garh*.⁷⁵ On the way he was incessantly harassed by the enemy and his party was forced to retreat to Anandpur. When Poole proved himself unable to keep open the road to the *garh*, Risdale was sent with a force to enter Keonjhar *garh* through Dhenkanal. He found all the passes strictly guarded, but succeeded in forcing the Nageswarughat without bloodshed. He was, however, opposed on the Kusomghati by a very large mob. They shot arrows, threw stones, rolled down rocks, but were dispersed by a sharp and continued

72. BGP (Political), May 1868, No. 29, Government of Bengal to Superintendent of Tributary Mahals, No. 2255, 6 May 1868.

73. *Ibid.*, No. 31, Ravenshaw to Government of Bengal, No. 48, 4 May 1868.

74. *Ibid.*, No. 42A, Lieutenant-Governor of Bengal to Governor-General of India, 15 March 1868.

75. *Ibid.*, No. 57K, T. E. Ravenshaw to Officer Commanding Cuttack, No. 136, 29 May 1868.

fire of musketry. The pass was obstinately disputed, and Risdale barely succeeded in fighting his way.

Having reached Keonjhar *garh*, he reinforced Dr. W. Hayes, who had also received a detachment of police from Chaibassa under Major Gahagan. Dr. W. Hayes was now enabled to strengthen his position and to repel attacks. The measures of retaliation were undertaken at once. Colonel Dalton, the Commissioner of Chotanagpur, sent an expedition to curb disturbances in the north-eastern division of Keonjhar.⁷⁶

Under these circumstances, the situation began to improve. On 7 July, the Superintendent, T. E. Ravenshaw, arrived and assumed charge of affairs. Expeditions were sent out in various directions. The insurgents fled to hiding places in the hills. No opposition was anywhere encountered. The villages which sided with the insurrection were burnt.

The rising was entirely subjugated. The rebels lost all their heart. The *Bhuya* headmen tendered their submission and the leaders were captured, including Ratna Naik, the principal instigator. By the end of August, the work of pacification had so far advanced that the gradual withdrawal of troops could be ordered.⁷⁷

T. E. Ravenshaw then held a judicial inquiry into the offences of the prisoners. In addition to the general charges of waging war against the Raja, plunder, dacoity, and kidnapping, there was distinct evidence of the deliberate murder of the *Bewartha* and 30 other persons. The trial resulted in the conviction of 183 prisoners. Of them Ratna Naik and 4 others were sentenced to death, 27 to transportation for life, and the rest to periods of imprisonment. It was said that a severe but necessary example was made, as a warning against similar outbreaks in future.⁷⁸

76. BGP (Political), January 1869, No. 10, T. E. Ravenshaw to Government of Bengal, No. 375, 14 October 1868.

77. *Ibid.*, September 1868, No. 8K, T. E. Ravenshaw to Government of Bengal, No. 126T, 30 August 1868.

78. *Ibid.*, January 1869, No. 31 Government of Bengal to Government of India, No. 5988, 23 December 1868,

The country soon quieted down. In two years it was reported that the people had settled down to their ordinary pursuits, and disturbances were almost forgotten. The *Bhuyas* paid their accustomed homage to the Raja, visited him, and consulted him about their affairs. This speedy improvement of the situation was due to the administration of Lieutenant Johnstone, who was appointed to advise the king. He displayed marked capacity for governing rude and uncivilised people.⁷⁹ In March 1871, the Privy Council dismissed the Keonjhar succession appeal preferred by Rani Bishnu Priya as Brindaban Chandra Bhanj applied for withdrawing it.⁸⁰

By 1878, Keonjhar emerged as the best managed, most peaceful, prosperous, and contented of all the Tributary States. The administration of the Maharaja of Koenjhar proved in all respects satisfactory. The debt due to Government on account of the expenditure incurred in quelling the rebellion was repaid in full. Under these circumstances, all supervision previously exercised over the Maharaja's affairs was withdrawn in 1878.⁸¹

Mismanagement of Narsingpur and Talcher States

The state in which active interference was necessary during the year 1878 was Narsingpur. In November 1877, the Raja attempted to realize one of the cesses that he had promised to remit when the land revenue assessment was enhanced. The people who had been oppressed in many ways by the Raja and his servants formed a combination against him.

The Superintendent of the Tributary Mahals at once deputed his Assistant to make enquiries and to settle the differences between the Raja and his *ryots*. A satisfactory reconciliation was effected consequently.⁸²

Two months later, the Raja took back into his service the

79. RAB, 1870-71, pp. 77-80.

80. BGP (Political), March 1871, No. 57, T. E. Ravenshaw to Government of Bengal, No. 395, 14 March 1871.

81. RAB, 1877-78, p. 18.

82. *Ibid*, 1878-79, p. 19.

evil advisers whom he had dismissed when the compromise was effected. He reimposed some of the cesses he had remitted, and thus broke the premises he had made. The people naturally became discontented again.

The Assistant Superintendent was once more deputed to the spot. He succeeded in restoring order. But he suggested to take some special measures to protect the people from oppression. The appointment of a Dewan to be nominated by the Superintendent was accordingly sanctioned in August 1879. The Raja was warned: "If he does not give a loyal support to the Dewan, and strictly observes the arrangements made by the Assistant Superintendent during his visit to the state, Government will be forced to interfere and make other arrangements for the preservation of the peace of the *killah*, and, if necessary, to suspend either temporarily or permanently the authority of the Rajah."⁸³

When the Superintendent visited the *killah*, in January 1880, the people were found to be contented, and all differences between them and the chief had ceased.⁸⁴

The mismanagement of Talcher state was brought to the notice of the Government by the Superintendent after his inspection of the state. It was found that the Raja had not dismissed the evil advisers whom he had been directed to discharge from his service, and had neglected to remedy the abuses in his administration that had previously been brought to notice. The relations between the chief and the people was, as a result, unsatisfactory.

In order to prevent any further evil results, sanction was given to the appointment of a Dewan by the Superintendent. He was to assist the Raja in his management of the *killah*.⁸⁵

Insurrection in Keonjhar

After the suppression of the rising of 1867, Dhananjoy Bhanj was acknowledged as the king by all parties. The

83. RAB, 1878-79, p. 19.

84. *Ibid.*, 1879-80, p. 17.

85. *Ibid.*, pp. 17-18.

Bhuyas and *Juangs* paid their accustomed homage to the king and consulted him about their affairs. His administration proved to be satisfactory in all respects.

Subsequently, Dhananjoy Bhanj turned to be extremely greedy and oppressive. He imposed several kinds of illegal taxes on the people. He forced them to sell their agricultural products to him at a price unreasonably low. They were also compelled to carry those things to the *garh* and were paid no wages. It was the usual practice with him to employ the people in personal services and pay them no wages. There arose profound discontent among the *Bhuyas* and *Juangs* who suffered most.⁸⁶

With the object of discussing necessary measures to put a stop to the oppression of the king, *Bhuyas* and *Juangs* convened a *Panchayat* at a village in Keonjhar, named Pawani. On hearing of the meeting, the king sent Bichitrananda Das, his Assistant Manager, to enquire into the matter. He caused the arrest of several of its members and kept them in confinement.⁸⁷ Subsequently, some of them were released and some of them were punished with imprisonment. Most of the *Bhuyas* and *Juangs* became determined to resist the arbitrary conduct of the king.⁸⁸

Dharani Dhar Naik emerged as the leader of the discontented *Bhuyas* and *Juangs* of Keonjhar. He was working as a surveyor in the Singbhum and Keonjhar border in 1891. There he received the news that his brother and some of his relatives were arrested and imprisoned without any fault of theirs. He returned to Keonjhar in haste and made an appeal to the oppressed people of Keonjhar to rally round him to fight against the king. In no time most of the people stood by him.⁸⁹

On 22 May 1891, the village of Chamukpur in Keonjhar where the king had a fort, was suddenly attacked by about 1,200

86. *Utkal Dipika*, 11 July 1891, p. 220.

87. BJP (Political), December 1891, Government of Bengal to Government of India, No. 124 P-D, 20 June 1891.

88. *Utkal Dipika*, 11 July 1891, p. 220.

89. *Ibid.*

insurgents. They looted the property of the villagers and assaulted them. Dharani was not present but the attack was led by some of his relatives. The king was powerless to resist them unaided and fled to Anandpur. On arrival he wrote to the Superintendent for assistance, promising to pay the necessary expenses. The king subsequently went in person to Cuttack to explain the situation to the Superintendent.⁹⁰

G. Toynbee, the Superintendent, arranged for the immediate deputation of a force. On 14 May, 150 armed police were sent to Keonjhar from Singbhum under Dawson, an experienced District Superintendent of Police. He was to cooperate with another force sent from Cuttack under the Superintendent of Police, Balasore. The following telegraphic instructions were received by Dawson at Chaibasa from the Superintendent of Tributary Mahals: "Proceed Keonjhar at once. Issue proclamation calling upon the rioters to disperse and ring leaders to surrender to you, naming them, if possible. Promise fair trial by Superintendent or Assistant, and future enquiry into grievances, if any. If this fails, Maharajah should offer rewards for apprehension, and help you to arrest them, using necessary force. Telegraphic action taken and course of events, when necessary, through Bhuddruck or Chybassa." In accordance with these instructions, he issued a proclamation at Chaibasa.⁹¹

Before Dawson reached Keonjhar, he received information that the disturbance in Keonjhar was more serious than at first supposed. It was reported that the insurgents, numbering about 2,000, attacked the Keonjhar *gark* on 15 May, but had been repulsed by the king's people. They had, however, plundered the king's treasury, released the convicts in the jail, made the Manager, Babu Fakir Mohan Senapati, a prisoner, and refused to listen to the proclamation issued by Dawson from Chaibasa.

Immediate orders were issued for the despatch of troops from Calcutta via Chakradharpur on the Bengal-Nagpur Rail-

90. BJP (Political), December 1891, Government of Bengal to Government of India, No. 124 P. D. 20 June 1891.

91. *Ibid.*

way to reinforce the police.⁹² Before the troops were called into action, the disturbances were promptly suppressed by the local officers with the aid of Government police. The Raja of Saraikella supplied a hundred men fully equipped for the assistance of the Government.⁹³ Realising any further resistance impossible, the chief leader of the rebels, Dharani Dhar Naik surrendered to Dawson at a village near Keonjhar *garh*, called Benjao. On 29 May, Dharani was at once made a prisoner. This resulted in the collapse of the opposition.

The insurgents were tried by G. Toynbee, the Superintendent of the Tributary Mahals. Dharani Dhar Naik, Jagan-nath Naik, and Surendra Singh were the ringleaders. He sentenced the first to seven years and the others each to two years' rigorous imprisonment.⁹⁴ After receiving the order of punishment, Dharani said : "I am not sorry for my seven years' imprisonment but I am happy that the people will be relieved of the oppression."⁹⁵

Although all the active resistance on the part of the *Bhuyas* and *Juang*s ceased, the feeling against the king remained intensely bitter. The Superintendent was convinced that the disturbances in Keonjhar would break out again if the king was left to himself.⁹⁶ The Government of Bengal agreed with him. The Maharaja was restored to Keonjhar, accompanied by Rai Nandkishore Das Bahadur as Government Agent to advise the king in his administrative affairs.⁹⁷

In spite of the efforts of the Government Agent towards reconciling the *Bhuyas* and *Juang*s, they still held aloof and

92. BJP (Political), December 1891, Government of Bengal to Government of India, No. 124 P-D, 20 June 1891.

93. RAB, 1891-92, pp. 3-7.

94. BJP (Political), December 1891, Government of Bengal to Government of India, No. 124 P-D, 20 June 1891. 1891.

95. *Ibid*, G. Toynbee to Government of Bengal, No. F, 29 June

96. *Utkal Dipika*, 11 July 1891.

97. BJP (Political), December 1891, G. Toynbee to Government of Bengal, No. F, 29 June 1891.

98. RAB, 1891-92, p. 3.

would neither pay the revenue themselves nor allow others to pay. A proclamation was issued, warning them of serious consequences of continued contumacy. It was stated that if this warning was neglected, they were again to be reduced to submission by force, and their ringleaders, if necessary, deported.⁹⁹

The proclamation failed to produce the desired effect.¹⁰⁰ The *Bhuyas* never made their submission to the Maharaja or the Government Agent. Thus, Keonjhar continued in an unsettled condition.¹⁰¹ Sir Charles Alfred Elliott, the Lieutenant-Governor, wrote: "The grievances of the *Bhuyas* had been greatly exaggerated and disturbance in the state of Keonjhar was primarily due to self-seeking agitators who are dealt with in a manner which is perhaps too gentle on the suppression of the revolt in 1891."¹⁰² During the cold weather of 1892, expedition was undertaken by H. G. Cooke, the Superintendent of the Tributary Mahals, to establish order by reducing the *Bhuyas* to subjection. Success attended the operations.¹⁰³

Unfortunately subsequent events belied the expectations. For a few days only, quiet prevailed after the departure of the Superintendent from the State. Early in March 1893, the *Bhuyas* again rose in revolt and during the whole of April and May the country was in a very disordered state. The *Bhuyas* in many cases committed acts of violence against the Government and state officials and plundered villages.¹⁰⁴

In addition to reinforcements of Government police from Orissa and Chotanagpur, a detachment of military police was directed to proceed to Keonjhar. Assistance was also given by the Maharaja of Mayurbhanj. These forces hunted the wretched people about the hills of Keonjhar. Their huts were

99. RAB, 1891-92, p. 3.

100. *Ibid*, 1893-94, p. 8.

101. BJP (Political), November 1892, No. 16, Government of Bengal to Government of India, No. 454P-D, 16 September 1892.

102. *Ibid*, March 1893, No. 65, Government of Bengal to Government of India, No. 1042P, 23 March 1893.

103. *Ibid*.

104. *Ibid*, August 1893, No. 66, Government of Bengal to Government of India, No. 94 P-D, 19 June 1893.

burnt.¹⁰⁵ A menacing proclamation was issued for surrender, but they did not. Instead, an exodus of some of the *Bhuyas* to adjacent places took place as a gesture of defiance.¹⁰⁶

Under such circumstances, the operation was brought to an end. An officer named H. P. Wylly was deputed to enquire into the causes of the disturbances.¹⁰⁷ His report showed that the *Bhuyas* had substantial grievances, which were a standing menace to law and order in Keonjhar. It convinced Sir Charles Elliott of the necessity of a change of method in dealing with the matter. He made the following recommendation to the Government of India: "Without removing the Maharajah from Keonjhar, and while granting him a liberal allowance payable from Keonjhar funds, this Government should for a term of three or five years, relieve him of official power, which would be vested in a Superintendent who should administer the state under the orders of the Lieutenant-Governor of Bengal, and carry out the reforms which are essential to the peace."¹⁰⁸ He suggested to appoint H. P. Wylly as the Superintendent.¹⁰⁹

The Government of India welcomed this new departure but suggested: "In view of the fact that the measures taken with the consent of Government to put down a rebellion against him have so far proved ineffectual, his virtual deposition and removal from the state would have the appearance of inconsistency and might render it impossible to restore him hereafter."¹¹⁰ Therefore, it was decided that the Maharaja would exercise a nominal sovereignty over Keonjhar and all the powers of the Maharaja of Keonjhar would be exercised by H. P. Wylly by delegation until the state was reduced to complete order.¹¹⁰

105. BJP (Political), August 1893 No. 66, Government of Bengal to Government of India No. 94 P-D, 19 June 1893.

106. *Ibid.*

107. *Ibid.*

108. *Ibid.*

109. *Ibid.* No. 99, Government of India to Government of Bengal No. 2636I, 1 August 1893.

110. *Ibid.* No. 100, Government of Bengal to Superintendent, Tributary Mahals, No. 2528P, 14 August 1893.

Accordingly, H. P. Wylly was deputed as Government Agent to Keonjhar. The Maharaja was instructed that he should without fail follow Wylly's advice and give him the fullest powers in respect of the settlement of land revenue and record of rights, collection of revenue, the administration of public works and control over the police. On the other hand, H. P. Wylly was told that he must be very careful to uphold the Maharaja's position and his right to the submission and obedience of the hill people in all reasonable ways.¹¹¹

H. P. Wylly attempted to redress the grievances of the people at once. The settlement of land revenue was concluded on terms agreeable to and accepted by both parties. The difficult question of personal service claimed by the Raja, out of which rebellions had mainly sprung, was settled in a satisfactory manner. The nature and extent of services to be claimed were defined with precision.¹¹²

Though the important work of securing submission of the rebels had been accomplished by the end of 1893, the Agency was not withdrawn. The Government of India stated: "The reconciliation must be real and not nominal or formal. The ill-feeling that has been brought about by the machination of Dharanidhar Naik and other agitators must be removed and the good feeling that once undoubtedly existed between the ruler and the ruled should be restored, and the intercourse between them should be free and not merely nominal, such as merely a meeting at Durbar would undoubtedly be."¹¹³

In 1894, H. P. Wylly was transferred to Angul as Deputy Commissioner of that district. R. T. Dundas was appointed to succeed him as a temporary measure. He was entrusted with the task of maintaining the authority of the Maharaja by the consolidation of the arrangements already made.¹¹⁴ R. T. Dundas, having completed the objects of his deputation return-

111. *Ibid.*

112. RAB, 1893-94, p. 5.

113. BJP (Political), December 1893, No. 55, Government of India to Government of Bengal, No. 307P-D, 7 October 1893.

114. RAB, 1894-95, p. 5.

ed in July 1895. As the settlement operations remained to be completed, Babu Durga Das Mukherji was appointed to be both Agent and Settlement Officer.¹¹⁵

At last the Government Agent was withdrawn in July 1899 and the supervision exercised over the Raja's affairs ceased. But the services of a Deputy Collector were lent to the state for employment as Dewan.¹¹⁶

Maladministration in Daspalla

None of the Tributary Mahals, with the exception of Keonjhar, caused greater anxiety to the British Government in the 19th century as the State of Daspalla. It had always been mismanaged from the time the Raja Chaitanya Deo Bhanj succeeded to the throne in 1873. The history of his administration was a history of frequent frictions between him and his officers and of general oppression and popular discontent.

At the time of his accession, Chaitanya Deo Bhanj was a young man of 21. His younger days had been spent in pleasures and youthful sports. He had been imperfectly educated and had no experience of administrative business. After succeeding to the throne, he showed himself incapable of administering the state.¹¹⁷

As a result began a period of mismanagement. It was due mainly to the irregular means adopted by the king for filling his exchequer. He derived very small land revenue, quite inadequate to manage his affairs. The king, being incapable and avaricious, tried to make good this deficiency by other means.¹¹⁸ The exaction of illegal cesses gave rise to very bitter feeling between the Raja and his people, the one trying to enforce

115. RAB, 1895-96, p. 5.

116. *Ibid.*, 1898-99, p. 5.

117. BJP (Political), May 1894, No. 50, Government of Bengal to Government of India, No. 297 P-D, 25 May 1894.

118. *Ibid.*, No. 39, Superintendent of Tributary Mahals to Government of Bengal, No. 97, 24 January 1894.

payment by adopting every possible means of coercion and the other opposing such an attempt by all means in his power.¹¹⁹

The news of a general discontent at last reached the ears of T. E. Ravenshaw, the Superintendent of the Tributary Mahals. He visited the state to see the state of things for himself. He carefully studied the situation and found that the Raja was always in want. He took an agreement from the Raja on 17 February 1874 in which the latter pledged himself to conduct a Nazarkut (ascertained by eye and guess) settlement in the next 4 years. But that settlement had scarcely made some progress, when misled by certain persons, the people opposed the settlement as unfair and some of them left the state for Nayagarh.

The then Assistant Superintendent, Babu Harekrushna Das, who had been deputed to fix the revenue, submitted a full report on the situation. T. E. Ravenshaw was on leave at that time. The officiating Superintendent, Beames, ordered for a regular settlement based upon actual measurement of land. The Raja then went to Cuttack and was made to deposit Rs. 6,000 for making a regular settlement. Babu Ramanath Roy, a retired ministerial officer of the Cuttack Collectorate was appointed as Settlement Officer.

While the settlement operations were in progress, the Superintendent, T. E. Ravenshaw, visited the state in January 1878 on his return from leave. He heard from the people that the Raja had used underhand means to influence the amins. He stopped the regular settlement by actual measurement and ordered after consulting the wishes of the people that the previous revenue both in kind and cash as then collected might stand for a further period of 10 years from 1879 to 1889. At the same time, a committee locally called Raj Committee, consisting of 5 members including the Raja himself, his younger brother Radhakant Deo, his uncle Nilakantha Deo, his Dewan Lokanath Brahmachari, his Accountant Damodar Chau Patta-naik, was ordered by the Superintendent, Tributary Mahals

119. BJB (Political), No. 50, Government of Bengal to Government of India, No. 297-P-D, 25 May 1894.

to be formed to carry on the administration of the state and assist the Settlement Officer in completing the *Nazarkut* settlement. After they had carried on the administration together for some years, the Raja got into friction with the members. The administration suffered a great deal for it. This again came to the notice of the Superintendent.¹²⁰

The Committee was broken up. A. Smith, the Superintendent, found the Raja thoroughly unfit to be vested with uncontrolled authority. He summoned the Raja to Cuttack and discussed with him on the future administration of the state. The Raja agreed that he would transact no business except under the advice of his Manager, and would not interfere with the existing settlement. The Manager was to be appointed by the Superintendent and the Raja was not to dismiss him except with the Superintendent's approval. The above arrangements were approved by the Lieutenant-Governor.

From 1880 to 1891, seven Managers were appointed, with the approval of the Government, to act under the Raja. But all of them failed to work harmoniously with him, and one after another was removed. In August 1891, G. Toynbee, the Superintendent, suggested that if the Raja failed to bring his administration into order by 31 March 1892, he should be removed once for all from the charge of the state. This suggestion did not commend itself to the Lieutenant-Governor, who considered that nothing short of the greatest misdemeanour could justify such a serious step.¹²¹

On the representation of the Raja to the Government, the full responsibility of the administration was vested in him, and the system of appointing a Manager by the Superintendent was put a stop to. The Raja appointed his own Dewans but the change could not prove salutary. Hitches, frictions and misunderstanding disturbed as usual the cordial relation between himself and the Dewans. The result was that greatest mis-

120. Report on the Survey and Settlement of Daspalla Feudatory State, 1917-1921.

121. BJP (Political), May 1894, No. 50, Government of Bengal to Government of India, No. 297 P-D, 25 May 1894.

management ensued.¹²²

In January 1894, H. G. Cooke, the Superintendent of Tributary Mahals, did not hesitate to declare that if Government did not take measures for protecting the interests of the people, there was likely to be an outbreak or revolt, such as took place in Keonjhar.¹²³ Sir Charles Elliott, the Lieutenant-Governor, had no doubt that it had become necessary to adopt immediate measures for reorganising the administration of the state and for the protection of the Raja's subjects. He, accordingly, accepted the proposal of the Superintendent that the authority of the Raja should be superseded as had been done in the case of Keonjhar. He authorised the appointment of an Agent. While exercising all the authority of the Raja in the state in the Raja's name, he should be responsible for all that he did, not to the Raja, but to the Government, by whom his action would be controlled. It was also decided that the settlement of the state which had been in contemplation for a long time would be undertaken by the Agent.¹²⁴ Munshi Muhammad Atakar, the then Manager of Pal Lahera, was nominated to the post of Agent of Daspalla.¹²⁵

The Government of India agreed with the Lieutenant-Governor as to the necessity for this action, and sanctioned the arrangements regarding the supersession of the Raja. The Governor-General in council wished, however, to limit the application of these orders to the period required for the completion of the proposed settlement operations. In their opinion, the increase of legitimate revenue caused by the settlement undertaken by the Government Agent, would enable the Raja to meet his private expenditure instead of adopting irregular means for replenishing the exchequer.¹²⁶

122. BJP (Political), May 1894, No. 49, Government of Bengal to Superintendent of Tributary Mahals, No. 296 P-D, 25 May 1894.

123. *Ibid*, No. 39, H. G. Cooke to Government of Bengal, No. 97, 24 January 1894.

124. *Ibid*, No. 50, Government of Bengal to Government of India, No. 297 P-D, 25 May 1894.

125. *Ibid*, October 1894, No. 4 Government of Bengal to Superintendent of Tributary Mahals, No. 1952 P-D, 4 October 1894.

126. *Ibid*, Government of India to Government of Bengal No. 3317-1, 19 September 1894.

Munshi Muhammad joined his duties on 3 December 1894. He made a settlement of the state in a satisfactory manner.¹²⁷

The Raja died in 1896. He was succeeded by his younger brother Raja Narayana Deo Bhanj. The new Raja was expected to be efficient and a successful ruler. Therefore, the post of Government Agent was abolished. The new Raja was, however, allowed to retain the services of the officer who was the Government Agent, for the purpose of completing the settlement work of the state.¹²⁸

During his rule the state was opened up by communications. Education received liberal support. His administration was peaceful and was devoted to spread of education, development of agriculture, sanitary and many other beneficial measures. In his time crime of an organised nature was greatly reduced. The Government Agent had made the settlement but the collection was a troublesome one. Various villages defaulted the land revenue and got into arrear. They were thoroughly examined and wiped off and a fresh start was given to the regular rent collection. He died on 11 December 1913, leaving his adopted son Raja Kishore Chandra Deo Bhanj to succeed to the throne. His succession was recognised by the Government. His adoption was the main cause of the Khond rising of the state in 1914.¹²⁹

Disputed Succession in Athgarh

Srikaran Bhagirathi Bebarta Pattanaik, the Raja of Athgarh, died on 21 September 1893. He had two younger brothers and a son named Srinath Gambit Samanta who was said to be illegitimate, but to whom the late Raja wished to recognise as his legitimate son and heir. There arose dispute about the succession when the elder surviving brother of the late Raja, Raghunath San Samanta, claimed the throne.

On the death of late Raja it was reported to the Assistant

127. Report on the Survey and Settlement of Daspalla Feudatory State, 1917-1921.

128. RAB, 1896-97, p. 4.

129. Report on the Survey and Settlement of Daspalla Feudatory State, 1917-1921.

Superintendent, Tributary Mahals by Harichandan Mahapatra, his illegitimate brother, that he had installed Srinath on the throne. On the following day, Raghunath San Samanta and the late Raja's Patrani (chief wife) intimated to the Superintendent that the former had ascended the throne.

On receipt of the news of the disputed succession, H. G. Cooke, the Superintendent of the Tributary Mahals made an inquiry to ascertain the rightful person for the throne of Athgarh. It revealed that no marriage took place between Annapurna and the late Raja and that Srinath was illegitimate. The Superintendent had no doubt that owing to the childlessness of the late Raja's Patrani, and due to his misunderstanding with his brothers, Raghunath and Biswanath, and possibly also from natural affection to his son, the late Raja wished that his natural son should succeed him, and exercised pressure on his relatives to induce them to recognise the boy as heir.

According to the answer to No. 12 of the *Pachees Sawal*, a legitimate brother would succeed in preference to a *phulbiāhi*'s son or illegitimate son. The Superintendent wrote to the Government of Bengal that the rightful heir to the late Raja, Sri-karan Bhagirathi Bebarta Pattanaik was his brother, Raghunath San Samanta and that his claim should be recognised.¹³⁰

When the Superintendent of the Tributary Mahals took this decision, the claim of Srinath had been strongly pressed on the Lieutenant-Governor in the two memorials which were presented on his behalf. The object of the memorials was to prove that the memorialist's mother was duly married to the late Raja and the memorialist was a legitimate and a legal heir. The Lieutenant-Governor did not accept the claim of Srinath Gambit Samanta put forward in the memorials. He said: "There can be no doubt that the late Raja was desirous that his son should be his successor. But it is equally clear that the son's legitimacy was never recognised by the authorities, that the affirmation of the Raja in his favour was never accepted, and that his claim was always regarded with doubt

^{130.} BJP (Political), May 1894, No. 8, Superintendent of Tributary Mahals to Government of Bengal No. IT, 22 November 1893.

and suspicion. The enquiry which has now been made shows that no marriage took place between the late Raja and Annapurna, the mother of his son.¹³¹ Therefore, he was of opinion that Srinath was illegitimate and was not rightful heir to the throne of Athgarh. The Governor-General in Council accepted the Lieutenant-Governor's recommendation and recognised Raghunath San Samanta as successor to the late Raja.¹³²

The Nayagarh Meli

The first disturbance took place at Nayagarh in May 1893. This was due to the action of Khetribar Singh who had been the Dewan of the late Raja Ladukishore Mandhata, but whose services were terminated by his successor, Raghunath Singh Mandhata. Whereas Raja Ladukishore Das was a man of extravagant habits who involved the state in debt, the Raja Raghunath had given his attention to economies and the liquidation of the debts of his predecessor. It, therefore, became necessary to displace Khetribar Singh, and replace him by Gopal Santra.¹³³

The *meli* was got up at the instigation of the Khandpara Raja on behalf of Khetribar Singh. The Raja of Khandpara happened to be a staunch enemy of the Raja of Nayagarh. The people of Nayagarh assembled at Gutnitolla in Khandpara, where they were addressed by the Raja. They went in an armed body to Itamati, and with a view to murdering the Nayagarh Raja, tried to induce him to come and meet them there. They sent messages demanding the removal of oppressive Gopal Santra. Thus, there was a threat of a rising.¹³⁴

It was successfully dealt with by Babu Sudam Charan Naik, Assistant Superintendent, Tributary Mahals. As a result of his enquiries, in May 1893, it was decided to uphold

131. BJP (Political), May 1894., Government of Bengal to Government of India, No. 312P, 22 January 1894.

132. *Ibid*, No. 21, Government of India to Government of Bengal, No. 9151, 13 March 1894.

133. *Ibid*, December 1894, No. 5, Superintendent of Tributary Mahals to Government of Bengal, No. 1429P, 7 July 1894.

134. *Ibid*, March 1895, Superintendent of Tributary Mahals to Government of Bengal, No. 10 G. T. 5 December 1894.

Gopal Santra and to neutralize the influence of Khetribar Singh, ordering him to live outside the state. The Raja assured the *melias* to put an end to the oppressive conduct of Gopal Santra, if there was any. The *melias* were satisfied and returned to their homes. The peace was restored.¹³⁵

The place of residence of Khetribar Singh was selected by the king, and was Malisahi, a village in Khurda, but near Nayagarh. This was a selection which, as events proved, did not deter the ex-Dewan from still controlling the action of malcontents in the Nayagarh state.

Things went on quietly till December 1893, when a series of political murders took place. This necessitated the visit of the Superintendent of the Tributary Mahals to the state. The grievances of the people were enquired into and redressed. Gopal Santra, in his zeal for filling the coffers of the state, had been guilty of oppressive exactions. He was removed from the post of Dewan. A reconciliation was effected between the Raja and Khetribar Singh. The latter was given appointment in the service of the state, but the administration was placed in the hands of a Manager of his selection, Babu Darpanarayan Das. The Raja, Khetribar Singh and the people were satisfied with this arrangement.

Subsequently it was reported to H. G. Cooke, the Superintendent, that Khetribar Singh was still attempting to foment disorder in the state. He instructed the ex-officio Superintendent, Puri (Magistrate of Puri) to summon Khetribar Singh to Puri and take bail from him to answer charges that had been taken up against him. H. R. H. Coxe acted accordingly. No less than five such charges were brought against the ex-Dewan by the Raja. Three of these were abuses of authority in misappropriating state property. The other two were serious instances of disregard of the Raja's authority.

As H. R. H. Coxe had no time to deal with these cases, they were dealt with by the Assistant Superintendent, Sudam Charan Naik, who proceeded promptly to the spot. The first

135. *Ibid*, February 1894, No. 3. Superintendent of Tributary Mahals to Government of Bengal, No. 1P, 30 December, 1893.

charge broke down but the second ended in conviction. A sentence of one year's rigorous imprisonment and a fine of Rs. 200 were imposed on the accused under Section 417, Penal Code. The Superintendent believed that the sentences imposed on Khetribar Singh would have the effect of stopping any further disturbances in Nayagarh.¹³⁶

But the contrary happened. The order of Assistant Superintendent marked the outbreak of another *meli*. When Khetribar Singh was in the jail, his sympathisers resented his imprisonment. They determined to make it appear that he was not instrumental in causing past disturbances, as such disturbances did not cease with his removal from the scene.¹³⁷

In the middle of August 1894, the Magistrate of Puri received the following telegram which he communicated to the Superintendent of the Tributary Mahals: "Durdura market looted this day. 500 *melias* at Mahipur. Oppressions to peaceful subjects refusing to join *melee*. Attack on *gurh* possible. Superintendent wired to send 500 men under an European officer."

The usual charges of fomenting disorder were brought against the Rajas of Khandpara and Daspalla. The former Chief was known to be hostile to the Raja of Nayagarh. The Superintendent warned both to desist from any interference. In the face of distinct orders from the Superintendent not to harbour Nayagarh *melias*, or to allow his state to be made a base of operations by them, the king of Khandpara actually built houses at various places on his borders, and supplied the *melias* with arms and funds.¹³⁸

A detachment of military police under European police

136. BJP (Political), December 1894, No. 5, Superintendent of Tributary Mahals to Government of Bengal, No. 1429P, 7 July 1894.

137. *Ibid.* No. 32. Superintendent of Tributary Mahals to Government of Bengal, No. 1 E.P., 12 October 1894.

138. *Ibid.* March 1895, No. 5. Superintendent of Tributary Mahals to Government of Bengal, No. 10 G. T., 5 December 1894.

officers were despatched to Nayagarh immediately.¹³⁹ The Magistrate of Puri and the ex-officio Assistant Superintendent, Tributary Mahals, arrived at Nayagarh with full powers from the Superintendent, to quell the disturbances.¹⁴⁰

The *meliās* committed a number of indiscriminate murders. The total number of murders committed and discovered till the end of the *Meli* was 26. Sudam Charan Naik, the Assistant Superintendent was able to ascertain the real object of these murders. The rebels thought that if they killed a number of men, the Raja of Nayagarh would be held responsible for mismanagement of his state and would, in consequence, be removed from the throne. The idea was put into the head of the rebels by the Raja of Khandpara and the ex-Dewan, Khetribar Singh.¹⁴¹

Peace and order were restored by March 1895. The capture of Arjuna Paikrai, the leader of *meliās*, who hid himself in the forest, marked the end of the *meli*. The offenders were judicially tried and punished. Out of the 54 convicted only one, Arjuna Paikrai, was transported for life.¹⁴²

Removal of the Raja of Khandpara from the Throne

When the *meliās* of Nayagarh saw that there was no chance of success, they, after their manner, came in and disclosed the whole story without screening themselves and the Raja of Khandpara. The men under trial confessed their own guilt and the guilt of the Raja. The others who were not accused told the same story. Thus H. G. Cooke, the Superintendent, found a volume of evidence convicting the Raja of Khandpara of complicity in Nayagarh disturbances. He said: "To me and to every officer employed in the Nayagarh *meli*, no doubt is possible as to the Raja of Khandpara's complicity in the *meli*

139. RAB, 1894-95, p. 4.

140. BJP (Political), December 1894, H. R. H. Coxe to Superintendent of Tributary Mahals, No. 11, 24 October, 1894.

141. *Ibid*, June 1895, Sudan Charan Naik to Superintendent of Tributary Mahals, No. A, 3 February 1895.

142. *Ibid*, No. 53, Government of Bengal to Superintendent of Tributary Mahals, No. 1051P, 29 March 1895.

from the day that Khetribar Singh appealed to him in April 1893 till the movement collapsed in January 1895."¹⁴³

As to the Raja of Khandpara's motives for the course he adopted, they were easily known by the Superintendent. He traced them to the Raja's estimate of his own importance and his antipathy to the Raja of Nayagarh, who was his successful opponent in the Nayagarh succession case. The two causes were interwoven. His vanity was due to the belief that the Rajas of Rewa and Jaipur in Rajputana were near relatives of his. As to the feelings towards the Raja of Nayagarh, he had never made any secret of them. It was said that inflated with pride as to his mythical ancestry and burning with jealousy towards his rival, he would be exceedingly likely to take advantage of any opportunity to injure that rival. Such an opportunity presented itself in the hostility of that restless and irreconcilable intriguer, Khetribar Singh, his illegitimate relation and a man, like himself, with a grievance.

In the opinion of the Superintendent, Tributary Mahals, such conduct of the Raja of Khandpara was a violation of his treaty obligations to Government in the most flagrant manner and was sufficient to warrant his deposition. He saw nothing but his age that could be accepted as a ground for mercy. Making all allowance on this account, he was of opinion that it would be a fatal mistake not to show the displeasure of the Government in an exemplary manner. The least punishment that he recommended that the Raja should be removed from Khandpara for one year and pay half the cost of the *meli*.¹⁴⁴

The Lieutenant-Governor felt that a somewhat more lenient punishment could be inflicted. He made the following recommendations to the Government of India. As a mark of the displeasure of Government, he should be removed from Khandpara and required to reside at Cuttack for a period of

143. BJP (Political), November 1895, No. 47, Superintendent of Tributary Mahals to Government of Bengal, No. 4C-P, 31 August 1895.

144. *Ibid.*

six months. During the period of his suspension, a Government officer with a suitable salary should be appointed to be the Manager of Khandpara state.¹⁴⁵ On acceptance, the recommendation was acted upon.¹⁴⁶

Appointment of Political Agent

A new chapter in the British relation with the Tributary Mahals began when Sir Andrew Fraser became the Lieutenant-Governor of Bengal. He took special care to deal with questions concerned with the management of states. He heard that misgovernment of the Chiefs generally led to the British intervention in their affairs. This policy was causing their dissatisfaction with the British rule. On personal enquiries, he knew that the cause of misgovernment was inefficiency and oppression of the Rajas. He was convinced that measures were necessary to encourage the Chiefs to administer their states more efficiently and to recognise more fully their duties and responsibilities. As a means to this end, he felt certain that he could not do better than introduce the system, he had himself to work in the Chhatisgarh Division of the Central Provinces, where there were a number of states under a Political Agent. He strongly recommended for the appointment of a Political Agent for the Tributary Mahals of Orissa. His recommendation was accepted by the Government of India.¹⁴⁷

Shortly afterwards, in April 1906, Cobden Ramsay was appointed as a Political Agent for the Tributary States of Orissa, subject to the control of the Commissioner of Orissa. The general lines of policy laid down for the guidance of the Agent were as follows. The Chiefs should be taught to understand their responsibility for the administration of their states. Efforts should be made to render them capable of efficient administration. The supervision exercised over them should be only such as might be necessary to keep the British Government in touch with their administration. Briefly, the Chiefs were to

145. BJP (Political), November 1895, No. 49, Government of Bengal to Government of India, No. 2756P.

146. RAB, 1895-96, p. 16.

147. *Ibid*, 1905-1906, pp. 4-5.

be left to manage the affairs of their own states without interference, so long as they worked on reasonable lines of progress, and refrained from oppression and injustice. The Political Agent was to be the friend, adviser and colleague of each Chief, and the Commissioner was to be the official supervisor of both. The wisdom of this policy was soon apparent. Hitherto, little had been done to encourage the Rajas, and a spirit of aloofness and suspicion had been engendered. They were, henceforth, assured of the friendly attentions and goodwill of the British Government, and their confidence was gained.¹⁴⁸

Status of the Tributary Mahals

In consequence of a motion in the High Court made during the year 1882, the question was raised whether Mayurbhanj, one of the Tributary Mahals, did or did not form a part of British India. Hitherto, the High Court exercised no jurisdiction in the Mahals. The sentences of death passed by the Superintendent were confirmed, not by the High Court, but by the Government of Bengal to which all appeals against the orders of the Superintendent lay. On the motion in question, a Divisional Bench of the High Court held that the Mahals were a part of British India. But on a reference of the matter to a Full Bench, it was decided that they were not.¹⁴⁹

When the controversy thus arose regarding the status of the Tributary Mahals, the Maharaja of Mayurbhanj wrote to the Government of Bengal, submitting the following reasons in support of his contention that "the mahals do not form a part of British India."

By an unbroken practice from 1803 nearly the entire administration of the Mahals had remained with the Chiefs of the Mahals despite the cession of those Mahals to the East India Company. Of the several parts of this administration, viz., first fiscal, second police, third civil justice, fourth criminal justice, the first three had been exercised by the Chiefs of the

148. The Administration of Bengal under Sir Andrew Fraser, pp. 51-52.

149. RAB, 1881-82, p. 18.

Tributary Mahals in full independence of the British Government. In the large part, too, of the administration of criminal justice which concerned the mass of criminal offences, viz., minor offences, the Chiefs exercised authority without interference of the British Government. This long usage, continued with the acquiescence of the British Government for nigh eighty years established the sovereignty of the Chiefs of the Mahals (of course as feudatories of British Government) and determined the character of their territories as not forming part of British India.

The true relations of the Mahals to the British Government could be also gathered from the Regulations and Acts of the Government. None of them interfered with the internal administration of the Mahals. Regulation X of 1816 legislated for the succession to the chiefships of the Tributary Mahals as for feudatories of the British Government. The Regulations of 1874 declared two of the annexed Tributary Mahals, Banki and Angul, to be part of British India by including them in the scheduled districts. This testified that the rest were not British territory by excluding them from the schedule.¹⁵⁰

The executive acts of the Government confirmed this testimony of the Regulations and Acts to the position of the Orissa Tributary Mahals as feudatory principalities. In 1840, the Government disallowed a proposal of the Superintendent of the Tributary Mahals that the Rajas of the mahals should be amenable to the civil court of the Superintendent in cases between the Rajas and their creditors. In 1862, Lord Canning issued to the Chiefs of the Orissa Tributary Mahals as to other feudatories in non-British territory, *Sanads* conferring on them the right of adoption.

Law, fact and deliberate executive acts of the paramount power thus established that with the intelligent acquiescence of the British Government, the Chiefs of the Tributary Mahals had for nigh 80 years, exercised "most of the functions of sove-

150. *Vide* BJP (Political), June 1883, Superintendent of Tributary Mahals to Government of Bengal, No. 691, 15 May 1882.

reignty, as feudatory princes, necessarily in territories which are not a part of British India, inasmuch as the exercise by a Native Chief of the least sovereign power in British Indian territory is impossible.'¹⁵¹

The Maharaja concluded that the Orissa Tributary Mahals could not be treated as a part of British India without a previous deposition of their de facto sovereigns or feudatory princes and the assumption of British rule by a proclamation.¹⁵²

A. Smith, the Superintendent of the Tributary Mahals, was of opinion that the Tributary Mahals of Orissa did form a part of British India. He refuted the reasons pointed out by the Maharaja of Mayurbhanj.

In respect of the first argument of the Maharaja, the Superintendent expressed the following views. It was quite true that since the cession of the Mahals to the East India Company, the Government had never assumed the direct management of the Tributary States, but had permitted the Chiefs to exercise certain administrative powers within their respective states. This was done, not because the Chiefs had any right to the exercise of independent authority, but because it was considered expedient owing to the uncivilised character of the inhabitants and the inaccessible nature of the country. It was quite open to the Government to have placed the mahals at any rate under the jurisdiction of the ordinary civil and criminal courts (vide paragraphs 5 and 6 of the letter of the Government of India to Mr. Oswald, No. 3, dated 10 February 1814). The Chiefs had been deprived of the essential privileges of sovereignty. They did not exercise the power of life and death, and the right of making war and peace. They could not, therefore, be regarded as sovereigns in any sense of the term.

In respect to the second argument of the Maharaja, the Superintendent remarked as follows: It was clear from the

151. *Vide* BJP (Political), June 1883, Superintendent of Tributary Mahals to Government of Bengal, No. 691, 15 May 1882.

152. *Ibid.*

preamble to Act XIV of 1874 that "the scheduled districts do not include all the parts of British India that have not been brought under or have been removed from the operation of the general laws, or even all the portions so circumstanced in which doubt has arisen as to what laws are in force, but only that they are among the parts." This language clearly implied that in British India there are other places not under the operation of the general laws. The legislatures declared in Regulations XII and XIII of 1805 that the Bengal Regulations were not for the present to be considered as in force in the Tributary Mahals. The only inference that could be drawn was that the Government might put the regulations in force at any time. It could only do this if those states were parts of British India. There was nothing in Regulation XI of 1816 to show that it recognised the position of the Rajas as feudatory Chiefs.¹⁵³

With reference to the third argument the Superintendent explained as follows. It was a fact that the Tributary Chiefs were not amenable to the jurisdiction of the ordinary civil courts. In 1839, the Government disallowed the proposals submitted by the Superintendent, Henry Ricketts to make them amenable to the civil jurisdiction of the Superintendent. It did so, not because it considered the Chiefs not to be British subjects but because the rules were considered in their general scope to be of too extensive nature, involving more interference than was desirable and tending to weaken injuriously the influence of the Rajas over their subjects. Though the Chiefs were not subject to the jurisdiction of the civil courts, they were triable by the Superintendent for murder, homicide, mutilation and any heinous crime.

There was no correspondence in the office of the Superintendent to show to whom, and under what circumstances the *Sanads* regarding the right of adoption were granted by Lord Canning in 1862. It was certain, however, that the denial of the right of adoption, and the annexation of native states on failure of natural heirs, were considered to be one of the causes

153. *Vide* BJP (Political), June 1883, Government of Bengal, Judicial, Political and Appointment Department to Government of Bengal, Foreign Department, No. 768, 13 July 1882.

of the Revolt of 1857. The *Sanads* were granted to allay the uneasy feeling that prevailed in the minds of the Indian kings. The *Sanads* conveyed the right of adoption only. It was unlikely that anything further was intended to be conferred. Had it been deliberately intended "to confer on the Chiefs as their own, territories they had heretofore administered as territory belonging to the Government, the *Sunnad* would surely have declared in express and certain language a concession so important." Practically, there had been no change in the relations of the Chiefs to the Government. They had been treated, not as allies but as subjects.

The Superintendent pointed out the reasons mentioned above to justify his view and requested the Lieutenant-Governor to declare that the Tributary Mahals of Orissa did not form a part of British India.¹⁵⁴

Sir Rivers Thomson agreed with the Superintendent. He dissented from the decision of the Full Bench of the High Court given on 11 March 1882. He was of opinion that it was not improbable that, if a similar question should arise in future before the High Court, the Judges would express views opposed to the decision of the Full Bench. In order to anticipate the embarrassment which would thus arise, the Lieutenant-Governor authoritatively declared that the states in question were included in British territory.¹⁵⁵

After giving due consideration to this case, the Governor-General in Council was unable to agree with the conclusions arrived at by the Lieutenant-Governor. They expressed the opinion: "The decision of the Full Bench of the High Court is that of the highest judicial authority in this country which is competent to decide the question. Until the decision so given is reserved or modified, it is binding upon all concerned, and will in accordance with what is understood to be the ordinary practice of the High Court, be followed by that court in

154. *Vide* BJP (Political), June 1883, Government of Bengal Judicial, Political and Appointment Department to Government of Bengal, Foreign Department, No. 768, 13 July 1882.

155. *Ibid*, December 1884, Government of India to Government of Bengal, No. 3018, 7 August 1884.

any case which may hereafter come before it." Therefore, the ruling of the High Court, in their opinion, should be accepted as conclusive and no step need be taken in any way indicating a desire to claim the Tributary Mahals of Orissa as part of British India. It was directed that the proceedings of this Government in regard to these states should be so regulated "as to avoid as far as possible the risk of the complications which might arise from a decision that the mahals are not British territory." The Government of India reserved, however, "the fullest right to interfere to such extent as might seem fit for the purposes of securing the good administration of the Mahals, and, when necessary, of conferring upon their officers powers to be exercised within the Mahals."¹⁵⁶ The Secretary of State in Council accepted the ruling of the High Court in the case of Mayurbhanj, that the Tributary Mahals of Orissa did not form a part of British India.¹⁵⁷

The authoritative adoption of this view rendered it necessary in March 1891 that the Superintendent of the Orissa Tributary Mahals should be made, for the time being, to exercise the powers of a Political Agent under the Chapters IV and V of the Foreign Jurisdiction and Extradition Act XXI of 1879. This step was taken in order to legalise the action taken by him in the Tributary Mahals.¹⁵⁸

This measure ceased to be in force with the passing of a special Act, called the Tributary Mahals of Orissa Act XI of 1893. Its objects were to indemnify certain officers of Government and to validate acts done by them in the Mahals and to legalise the carrying out in British jails of certain sentences passed on *Garjat* prisoners.¹⁵⁹

The most important step taken in consequence of the definite settlement of the question that Mahals were not within

156. BJP (Political), December 1884, Government of India to Government of Bengal, No. 3018, 7 August 1884.

157. RAB, 1892-93, pp. 208-209.

158. BJP (Political), April 1892, No. 72, Notification by the Government of India, Foreign Department, No. 1363-1, 26 March 1891.

159. RAB, 1893-1894, p. 4.

British India was the issue of new *Sanads* to the Chiefs in 1894.¹⁶⁰ The *Sanads* were designed not to impose special conditions, but to secure to the Chiefs rights which had been called in question.¹⁶¹ Under the terms of the *Sanads*, the Chiefs could try in their courts all criminal cases occurring in their states except those in which Europeans were concerned and heinous offences such as murder, homicide, dacoity, robbery, etc. They were required to refer these cases for disposal to the Superintendent of the Tributary Mahals or to such of his Assistants as he might indicate. The Chiefs were bound to consult the Superintendent in all important matters of administration and to comply with his wishes.¹⁶²

160. RAB, 1893-94, p. 5.

161. BJP (Political), November 1892, No. 49, Government of India to Government of Bengal, No. 3430I, 5 September 1892.

162. Chapters of Standard Informations taken from the Bengal Administration Report, 1901-02, p. 59.

Conclusion

The Crown's administration from 1858 to 1905 brought about significant changes in the character of the British rule in Orissa. The Company's rule, which may be characterised as a period of stagnation, yielded place to a better system. The changes in the method of administration of revenue, police, justice, irrigation projects, education and communication, among other things, indicate a spirit of reform and a desire for stabilisation throughout the period under review.

The land tax formed the principal item of revenue. The land settlement of 1837, which the Company had effected, was to come to an end in 1867. But the famine of 1866 did not permit a new settlement at that time and hence, the old settlement was extended for another 30 years. That was a wise step. It was said that "a liberal assessment for a long time is almost as effectual as Permanent Settlement."¹ This single measure helped a great deal in recovering agricultural conditions of Orissa from the devastations of 1866. The famine, which was more or less like a warning to the Government, proved a blessing in disguise to the people of Orissa because the Government had to correct a number of its own mistakes. One of the causes of the famine was the impoverished condition of the *ryots* arising out of illegal exactions of the Zamindars.² To improve the tenants' lot, the Bengal Rent Act of 1859 and later on the Bengal Tenancy Act of 1885 were extended to Orissa. It was intended to protect the people against imposition of illegal cesses,

1. RCF, 1866, Vol. I, p. 140.
2. Maddoy Report, Vol. II, p. 436.

enhancement of rent and indiscriminate ejectment by the Zamindars. Subsequently, by the laws and settlement provisions of 1897, the protection of the tenants was considered complete. Unlike the settlements of the early British rule, the Orissa settlement of 1897 was based on liberal assessment of rents. On the whole, the British land revenue policy under the Crown proved helpful to the Orissa peasantry.

The salt revenue was another source of Government income. The monopoly of the salt trade affected the poor people injuriously. The selling price of salt was arbitrarily fixed in the days of the Company and was so high at all times that it was a source of vexation to the poor. The Crown's Government abandoned salt monopoly in 1863. At the same time, salt was supplied at a lower price because of the importation of Liverpool salt. Of course, there was another side of the picture. The local salt manufactured under the excise or licence system could not be sold cheaper than the imported salt of a superior type. As a result, the local manufacture began to decline. Thus, the Crown's salt policy yielded mixed results. While the people in general got salt at a cheaper rate, about 50 thousand Oriyas employed in the manufacture of salt became unemployed.

The police administration was reorganised thoroughly. Soon after the transfer of powers, the Police Act of 1861, in fact, led to the foundation of modern police system in Orissa. Of course, inefficiency and corruption could not be eradicated and within a quarter century the system demanded through change. The implementation of the recommendations of the Police Committee of 1890-91 was a step to infuse efficiency and to remove bribery. In subsequent steps, the village police system was reorganised and improved. In general, the police administration appeared to be satisfactory; but it is needless to say that the people of Orissa in general were law-abiding and, therefore, the police was not usually disturbed by either organised crimes or professional criminals.

Much greater attention was paid to the judicial administration. While the administration of civil justice, once put

on a sound level, became free from complaint and scandal, the administration of criminal justice became a subject of controversy. The percentage of convictions in relation to the total number of persons tried by the courts created doubts as regards the efficiency of the police as well as the capability of the judges. However, the implementation of the recommendations of the Police Committee of 1890-91 resulted in gradual improvement in the administration of criminal justice.

The East India Company did not pay any heed to the construction of highways and roads in Orissa. The famine of 1866 showed how isolated was Orissa from the outside world, especially during the monsoons. Following the Famine Commission's Report, the Crown's administration was obliged to pay greater attention to the means of communication and transport. At the opening of the 20th century, coastal Orissa possessed vitally required roads, both metalled and unmetalled. During the period under review, main communication lines were carried into the Garjat state areas. Though the roads were not metalled, yet they covered long distances through difficult Tributary Mahals.³

A real revolution in the field of communication came with the opening of the Bengal-Nagpur railway during the closing years of 19th century. It ran through Orissa for 230 miles from north to south, supplying direct connection between Calcutta and Madras. A branch line took off from Khurda road station to Puri, the city of Lord Jagannath. By 1904, a railway connecting Baripada, the principal town of the Tributary state of Mayurbhanj, with Rupsa station of the Bengal-Nagpur Railway was opened. The line was constructed by the Chief of Mayurbhanj and was worked for him by the Bengal-Nagpur Railway Company.⁴

The roads, railways and navigation canals, constructed during the later part of the 19th century, provided Orissa with

3. Quinquennial Administration Report, Orissa, 1900-01 to 1904-05, Chapter XXIII.

4. *Ibid.*

means of easy access to places all round. The geographical isolation of Orissa came to an end. The export and import trade received an impetus. And the fact that Cuttack was about 12 hours' journey from Calcutta indirectly had its salutary influence on progress of consciousness among the people. The speedy means of communication facilitated the forging of a social and economic link between Orissa and the outside world. In 1898, Sir Charles Elliott, the Lieutenant-Governor of Bengal, wrote to Madhu Sudan Das, the foremost Oriya leader of that time: "Orissa has long been a back water into which no fresh stream entered and of which too little was known and I would hope that the opening of the East Coast Railway will do much to bring it more into contact with the world."

Among other public works, the canals of Orissa deserve mention as a means of both irrigation and navigation. Though the people were slow in appreciating the value of canals for purposes of irrigation, yet in hard situations like drought, they had to fall on the canal water for survival. Gradually, they became irrigation conscious. The real merit of the canal lay in matters of trade and commerce which passed through navigable water-ways. The Orissa coast canal which was meant only for navigation, helped small traders and businessmen in their commercial enterprises over a large area.

It was in the field of education that the period under review saw the beginning of striking changes. While the number of high schools, middle English schools and upper and lower primary schools began to grow rapidly, the foundation of Ravenshaw College in 1868, saw the beginning of higher western education in the whole of Orissa. The progress of education rescued Oriyas from a number of disadvantages. They had no place in the lower services of British bureaucratic machinery. People from outside Orissa monopolised all kinds of services. Without English education, the people of Orissa had little contact with outside provinces. In view of many such drawbacks, the introduction of higher western education resulted in a gradual transformation of the mental hori-

5. Vide Surendra Mohanty, *Shathabhir Surya* (Oriya), p. 579.

zon of the people. In course of time, as everywhere in India, there developed a political consciousness based on western ideas. The leading minds of Orissa began to think of social changes in the wake of western education. The influence of English literature on modern Oriya literature became clearly perceptible towards the later years of 19th century. Three eminent writers, namely, Fakir Mohan Senapati (1843-1918), Radha Nath Roy (1848-1908) and Madhu Sudan Roy (1858-1912), who are considered pioneers of modern consciousness in Orissa, revealed in their literature the profound influence of western ideas on their thought. The rise of modern journalism towards the later part of the 19th century, the publication of a number of periodicals and newspapers, and the new literary trends were the indirect outcome of the spread of English education.⁶ In brief, the foundation of modern Orissa is to be traced back to the first half of the Crown's rule.

During the period under consideration, the British initiated a more rational policy towards the Orissa Tributary Mahals. Though the policy of annexation of the days of the Company was abandoned and the princely states were left in the position of semi-independence, yet the Government decided to interfere in their internal affairs whenever the people suffered oppression and injustice, and whenever there arose problems of disputed succession or popular disturbances. Of course, such interference did not remove fundamental defects of the feudatory administration. But, yet the Government deserved credit for its intention to promote peace and good government as far as possible. In 1906, a Political Agent was appointed for the Tributary states of Orissa to advise and encourage the chiefs to administer their states more efficiently and in the interest of the people. It may be said here that modern means of communication and new systems of education entered into the Orissa states during the period. Influences from British administered areas made a slow but gradual penetration into the otherwise inaccessible and inhospitable regions. A distant result of those influences was seen when the Orissa Garjat

6. Natabar Samantarai, *History of Oriya literature* (Oriya), pp. 235-236,

movement began in the late thirties of the century. The movement, in some respects, was quite unique.

The improvements which resulted from the Crown's administration deserve merit in the context of specific policies, measures, and their outcome. But in the wider context of a general history, the Crown's period did not provide the people with real economic progress. Much remained still to be done in removing the misery of the vast masses of population. G. Toynbee, the Commissioner of Orissa, said in 1892: "In all directions and on all sides the immense strides made by the province generally in education, commerce, irrigation, communication, and in general wealth and prosperity are conspicuous to the most casual and superficial observer. And yet if one looks below the surface, the great mass of the people live the same lives and have the same limited hopes and aspirations that they had 20 years ago."⁷ In 1905, E. F. Growse, the Commissioner of Orissa, said that the material condition of the peasants was very unsatisfactory although large sums had been spent for the development of the country.⁸ The annual Administration Reports of Orissa division from 1866-67 to 1904-05 show that there prevailed extreme poverty and destitution among a substantial portion of the agricultural population throughout the period under review. Various reasons account for this.

More than ninety per cent of Orissa's population lived in villages. During 1858-1905, the population increased by about 50 per cent. It rose from 23,19,192 in 1872 to 41,51,239 in 1901.⁹ But there was no industry to employ the growing population. The entire burden of this growth fell upon agriculture, pursued according to medieval techniques.

The concentration of people on the land was aggravated by the decay of the village industries. Tasar and cotton cloths were made by handloom in many places, some of which were

7. RAO, 1891-92, p. 29.

8. Quinquennial Administration Report, Orissa, 1900-01 to 1904-05, p. 7.

9. RAB, 1901-1902, pp. 135-136.

prized for their fine texture and durability. But the industry did not thrive in the face of competition with cheaper imported fabrics from Manchester. Thus died an industry which supported a large number of people.¹⁰ The local salt industry was also destroyed by the import of cheaper Liverpool and Ganjam salt. The only manufacture for which Orissa had any reputation outside its own borders was that of filigree silver work. But it was not in a flourishing condition and was of little commercial importance. It supported only 400 families in Cuttack town and 2,000 in that district.¹¹

While the destruction of local industries forced the masses to take to agriculture as the only means of support, iniquitous land revenue policy filled the cup of their misery. That the Permanent Settlement was promised again and again throughout the 19th century but was never extended was most harmful in its effects. The Zamindars were not desirous of improving the condition of their lands and of the tenantry until increase in demand every few years was stopped, and security or permanence was given to their profits. Rather, they determined to make up the loss caused by the deprivation of Permanent Settlement by illegal means. The enhancement of the rent, imposition of illegal cesses and absentee landlordism proved harmful to the tenants. They were poor and ignorant enough to resist injustice. The Government did not take special measures to protect their interest.

The Government extended irrigation facilities to protect the cultivators from the vagaries of the monsoons. But 250 miles of canals were too inadequate to save the crops of an entire province. One of the greatest dangers to agriculture was flood. The chief rivers of Orissa, namely, Subarnarekha, Bolang, Salandi, Baitarani, Brahmani, and Mahanadi brought devastating floods in frequent intervals. The Government of the Crown did not pay necessary attention to this vital subject.

Frequent crop failures on account of flood or drought

10. RAB, 1901-1902, p. 44.

11. J. F. W. James, Report on the Revision Settlement of Orissa, 1906-1912, p. 10.

plunged the *ryots* in debt to *Mahajan* or *Zamindar*. They seldom managed to recover from that. S. L. Maddox, the Settlement Officer, wrote in 1900: "Thus whenever income is cut short by failure of the crops, or when the expenditure necessary on special occasions, which much occur once or twice in every generation, is to be met, the *raiyat* must fall in debt."¹² R. C. Dutta, the Commissioner of Orissa, wrote in 1896: "Nevertheless, the majority of the cultivators are in debt, and always remain in debt, to the mahajane. They borrow paddy from the village granaries, pay off with high interest after the harvest, and begin to borrow after they have consumed the surplus."¹³ Nagendra Nath Banerjee in his Agricultural Report on Cuttack, published in 1893, estimated that 75 per cent of the agriculturists remained almost in debt.¹⁴

The heavy and perpetual indebtedness forced the cultivators to sell their property to the moneylenders or landholders. S. L. Maddox said in 1900: "There is reason to fear that in the course of the next thirty years the occupancy right will lapse to a large extent, and that the *Zamindars*, who are already purchasing holdings in considerable quantity, will be in possession of an area of *nij-chas* lands much in excess of that which they now hold."¹⁵

The condition of the landless class was the most pitiable. They constituted 10 per cent of the population of Orissa. Many of them borrowed at the time of distress. As they had no lands to sell, they offered to repay by personal services. They were employed by *Zamindars* or *Mahajans* as servants and labourers. They remained in a condition of semi-slavery.¹⁶ The perpetual scarcity forced many of them to leave for Calcutta in search of employment. J. F. W. James, the Settlement Officer from 1906 to 1912, observed: "If in Orissa itself there is little industrial progress, the sub-province is not unaffected by pro-

12. Maddox Report, Vol. II, p. 490.

13. RAO, 1895-96, p. 11.

14. *Ibid.*

15. Maddox Report, Vol. II, p. 491.

16. *Ibid.*, p. 493.

gress elsewhere, which gives increasing facilities for employment outside it. Thus the higher castes work as personal servants in Bengal families, and the lower castes find work as labourers, and so moderate to some extent the pressure of increasing population.”¹⁷

It is clear that notwithstanding the benefits conferred by British administration, the condition of the great majority of the inhabitants was most unsatisfactory. That misery increased as the time passed. Simultaneously with the growth of poverty, the spread of western education generated a sense of political consciousness among a small section of the middle-class people. They were conscious of the social and economic ills of Orissa. They felt the need of a strong political association to struggle for its social and economic advancement. The Utkal Sabha or Orissa Association, the first political organisation, was founded in 1882.¹⁸ Its leader, Madhu Sudan Das, observed: “Orissa should rise again and the Oriyas should advance and attain self-sufficiency.”¹⁹ Under his guidance, the Utkal Sabha worked for the unification of the Oriya-speaking areas. In a memorial to the Lieutenant-Governor of Bengal, Sir Steuart Bayley, the Utkal Sabha urged: “At a time when it is proposed to transfer the western portion of Central Provinces to Bombay Presidency, we feel it our duty to solicit your attention to the fact that the country where the Oriyas reside is anomalously placed under the administration of Bengal, Madras and Central Provinces. We would, therefore, ask your honour to place territorial limits where the Oriya language is under one administrative unit and knit together under one administration a large population who speak one language and have the same tradition and custom.”²⁰

The year 1903 is memorable in the political history of Orissa. It saw the foundation of the Utkal Sammilini for the

17. J. F. W. James, Final Report on the Revision Settlement of Orissa, 1906-1912, p. 21.

18. Surya Narayan Das, *Desaprana Madhusudan* (Oriya), p. 64.

19. *Life of Madhusudan Das as seen by Many Eyes*, p. 172.

20. Vide Surendra Mohanty, *Shathabhir Surya* (Oriya), p. 490.

promotion of unity among the Oriyas for the ultimate objective of uniting all the Oriya-speaking areas.²¹

To sum up the balance-sheet of the Crown's half-century rule, it may appear appropriate to say that as in many other parts of India, so too in Orissa, certain socio-economic and administrative features were in a process of stabilisation, eventually making the period a formative epoch, even though the evil consequences of a foreign rule remained and became more and more evident.

21. Surya Narayan Das, *Desaprana Madhusudan* (Oriya), pp. 185-200.

APPENDIX I

**(Concerning Chapter IV showing the strength of Police in Orissa from
Quinquennial Administration Report, Orissa Division, 1900-01 to
1904-05)**

Year		Number of Inspectors	Number of Sub- Inspectors	Number of Head Constables	Number of Constables	Total
Cuttack	—1899	4	21	56	489	570
	—1904	4	38	41	489	572
Balasore	—1899	2	16	37	334	389
	—1904	2	28	25	325	380
Puri	—1899	2	14	41	330	387
	—1904	3	30	31	368	432
Total	—1899	8	51	134	1153	1346
	—1904	9	96	97	1182	1384

APPENDIX II

**(Concerning Chapter VI showing the progress of education in Orissa
from supplement to the Director of Public Instruction Annual
Report for 1904-05)**

	<i>Class of Schools for both boys and girls and other heads of charges</i>	<i>No. of Schools for boys & girls existing at the end of the year</i>	<i>No. of pupils on the rolls at the end of the year</i>	<i>Cost per head of pupil</i>	<i>No. of Muham- madan pupils in each class of schools</i>
High	Government	3	799	—	33.5
	Aided	7	1268	1	18.1
	Unaided	2	326	—	22.2
	Total	12	2393	1	23.8
Middle English	Government	7	571	—	11.8
	Aided	36	2024	19	12.5
	Unaided	2	118	—	11
	Total	46	2713	19	12.3
Middle Vernacular	Government	11	408	2	10.5
	Aided	22	702	282	11
	Unaided	5	220	7	6.9
	Total	38	1330	291	10.3
Upper Primary	Aided	274	10071	977	4
	Unaided	18	599	47	2.3
	Total	292	10670	1024	.9
					443
Lower Primary	Aided	3805	65581	10843	2.8
	Unaided	2270	30324	2121	2.4
	Total	6075	95905	12964	2.7
					2250

(Continued)

Special	Training	13	150	42	84.2	2
	Industrial	2	47	12	18.8	—
	Other	60	1301	32	22.4	205
	Total	75	1498	88	29.7	207
Total Public Institutions		6538	114509	14385	3.9	3479
Private Institutions		991	6664	280	—	754
Inspection		..	—	—	—	—
GRAND TOTAL FOR 1904-1905		7529	121173	14665	4.2	4233
GRAND TOTAL FOR 1903-1904		7379	118302	10885	4.4	4028

APPENDIX III

(Concerning Chapter VII describing the Orissa Canals, from
a report of S. L. Maddox)

The High Level Canal

The High Level Canal was designed to provide a navigable trade route between Cuttack and Calcutta, and also to irrigate the country through which it passes. It starts from above the left flank of the weir across the Birupa, 1 mile below the departure of that river from the main stream of the Mahanadi, and runs thence along the foot of the hills north-eastwards, through the Cuttack and Balasore districts. The original scheme was to carry the Canal across the district of Midnapore to meet the Hooghly river at Ulubaria below Calcutta, a total distance from the starting point of 230 miles, so as to connect Cuttack and Calcutta by one long canal. This great scheme has however been abandoned, and only three ranges have been completed, of which the first and second, covering a total distance of 45½ miles, lie within Cuttack district, viz., Range I, from the Birupa to the Brahmani river, 33 miles long, and Range II, from the Brahmani to the Baitarni river, a distance of 12½ miles. The two ranges command an aggregate area of 57,495 acres, of which about half is actually irrigated. Range III runs from the Baitarni river at Akhoypada to Bhadrak in Balasore district.

Jajpur Canal

The Jajpur Canal, starting from the head-works at the point of bifurcation of the Baitarni and Burha, runs 6½ miles to the town of Jajpur. It has a discharge of 600 cubic feet per second and it commands 70,000 acres. It secures from drought the valuable rice-growing lands in the tract between the Baitarni and the Kharsua, where formerly the low lying villages could only be irrigated with brackish water from the creeks.

The Kendrapara Canal

The Kendrapara Canal, which was opened in 1869, is the oldest and most important canal in the district. Taking off from the Birupa river at Jagatpur just above the anicut, it skirts the northern bank of the Mahanadi and its tributary the Nun, running nearly due east to Marsaghai, up to which point it is navigable. It has a total length of 39 miles and a discharge of 1,067 cubic feet per second. The area commanded by it is 160,159 acres, and its 23 distributaries are capable of watering 62,432 acres. It irrigates the country between the Mahanadi and the Gobri drainage channel, its right bank forming a protective embankment as well as a thoroughfare for the people. The country it commands comprises some of the most highly assessed parganas in Orissa.

The Kendrapara Extension canal is a continuation of it, which runs between Marsaghai and the Jambu river, a distance of about 15 miles. It was originally constructed with the object of improving communications between Cuttack and False Point harbour, into which the Jambu flows, but it is also capable of supplying water for irrigation purposes to a small area.

Gobri Canal

The Gobri Canal is a branch of the Kendrapara Canal, from which it takes off in the 28th mile. It has a total length of 15 miles and commands 18,850 acres. It was originally intended to be a distributary of the latter canal, but was afterwards made navigable in order to facilitate communication between Cuttack and Chandbali, and it now forms part of the main route between the two places. The Gobri Extension Canal is only 6 miles long, but commands an area of 12,717 acres. It derives its water supply from the Patamundai Canal, and forms the connecting link between the terminus of the Gobri Canal on the Gondakia river and the Brahmani at Alba.

Patamundai Canal

The Patamundai Canal branches off from the Kendrapara Canal just below the Birupa head-works, and skirts the southern bank of that river and of the Brahmani river for a total length of 48 miles. It has a discharge of 885 cubic feet per second and commands an area of 54,800 acres, its distributaries being capable of irrigating 19,838 acres. It is provided only with weirs and is therefore impracticable for navigation; but it irrigates some of the richest lands in Orissa, and its left bank protects a large tract from the floods of the Birupa and Brahmani rivers.

The Taldanda Canal

The Taldanda Canal starts from the right bank of the Mahanadi immediately above the anicut at Jobra and runs in a south-eastern direction to Biribati, where it gives off the Machgaon branch. Thence it runs along the southern bank of the Sukpaika and the Mahanadi, for a total length of 52 miles. It has a discharge of 1,342 cubic feet per second, of which about half is taken off by the Machgaon Canal, and it commands 42,939 acres. It was designed for the purpose of irrigating the triangular tract of country between the Mahanadi and Katjuri; but it is navigable by boats of considerable size and provides an alternative route from Cuttack to Chandbali via the Hansua Creek.

Machgaon Canal

The Machgaon Canal leaves the Taldanda Canal 7 miles south of Cuttack, and runs along the north bank of the Katjuri and of its branch, the Alanka, for a distance of 32 miles ; it has a discharge of 776 cubic feet per second and commands about 120,000 acres. It was originally intended to carry this canal as far as Machgaon so as to run into the tidal water of the Devi river, and thus establish connection with the sea, but this scheme was never carried out. It stops 6 miles short of Machgaon, and there does not appear much probability that it will be extended to the termination as first proposed.

Dudhai Canal

Since the above account of the canals was written the Dudhai Canal has been completed. This canal takes off from the north end of the Brahmani weir and can irrigate about 12,000 acres of spring rice between the Brahmani and Kharsua. The length of the canal is 46½ miles; it is not available for navigation; and its water is little used for irrigation except in years of very bad rainfall.

GLOSSARY

Abwab	— cesses levied by zamindars or public officers illegally in addition to the regular assessment on the land.
Adalat	— a court of justice.
Amin, Ameen	— a native surveyor of land, an officer who measures the land in the settlement.
Amla	— a native officer of judicial court or revenue office.
Aurung	— the manufacturing division of a salt agency.
Abadhan	— a teacher in the pathshala or primary school.
Anumati patra, Anumute patra	— a written permission.
Bhuya	— a tribal people inhabitating the hill tracts of Orissa.
Bajyapti	— resumed.
Baziaftidar	— a holder of resumed rent-free lands.
Bazar	— market.
Bewartha	— the adviser of the King or Dewan.
Chouth	— tribute
Chole	— a tribal people inhabitating the hill tracts of Orissa.
Chakran	— jagir or service-lands.
Chaukidar	— a village watchman.
Chaukidari	— pertaining to chaukidars.
Chowkey	— the act of watching or guarding property, etc.
Chakla	— a large division of a province consisting of a number of parganas.
Chandina	— home-stead lands.
Chandnadar	— a holder of home-stead lands.
Chupprassi	— a peon.
Chatshali	— an indigenous primary school.
Dustuk	— a warrant.
Dalwa	— spring rice.
Daroga	— a subordinate police officer.
Dewan	— the adviser of the king.
Darbar	— a meeting of the kings.
Dawk	— post.
Dafadar	— the head of chaukidars or village watchmen.
Dafadari	— pertaining to dafadars.

Dharma — religion, virtue.

Garjat — Tributary states of Orissa.

Gola — a warehouse, a place in which grain or salt is kept for a season; also a place where grain or salt is sold wholesale.

Ghat — a landing place on the bank of a river.

Gomastah — an agent or a confidential representative, appointed by zamindars to collect their rents.

Garh, Gurh — a fort.

Gadi — a throne.

Guru — a teacher in the pathshala or primary school.

Jagir — service lands, a tenure common under the native governments in which the public revenues of a tract of land were made over to a servant of the state.

Jagirdar — the holder of a jagir.

Jama, Jumma — the total amount of rent or revenue payable by a cultivator or a zamindar.

Juang, Jawang — a tribal people inhabitating the hill tracts of Orissa.

Kabuliyat — a document in which a payer of revenue, whether to the government or the zamindar, expresses his consent to pay the amount assessed upon his land.

Kanungo, Canungoe — the only officer in the interior of the district for making enquiries and furnishing various informations to the Collector in revenue matters.

Khas — as a revenue term, it is applied to the management of estates and the collection of revenue by officers of the government without any intermediate person between them and the cultivators, also to lands held by zamindars and cultivated by themselves for their own benefit.

Khandayat — the subordinate feudal Chief of the Maratha period.

Killa, Killah — the state of a khandayat, a permanently-settled estate, a Tributary state.

Killajat — a killa which was resumed and given temporary settlement.

Khond — a tribal people inhabitating the hill tracts of Orissa.

Kandh — a tribal people inhabitating the hill tracts of Orissa.

Khandait — the head of paiks, employed in rural police work.

Kurkutch — solar-evaporated salt.

Khoraki, Koraki — diet-allowance.

Koomtees — a mercantile community.

Khillut — a dress of honour : any article of costume presented by the ruling or superior authority to a subordinate as a mark of distinction,

Kharidadar	— a purchaser of proprietary rights in small plots of land from the Zamindar.
Kamil-baziaftidar	— a holder of resumed rent-free lands.
Khewat	— a record which contained the names, tauzi-numbers, areas and proprietors of each estate of which any lands were situated in the village.
Khasra	— a field index to the map, containing one entry for each field or separate plot belonging to one cultivator, specifying the names of the owner and the occupier, its area, the crop borne on it, and a description of the nature of the soil.
Khatian	— a record containing a list of tenants of the village with details of the land held by each, the rent payable for them, and the class of tenancy to which holding belonged.
Lakhraj	— revenue-free land.
Lakhraj bahal	— land confirmed without revenue.
Lakhraj bahaldar	— a holder of confirmed revenue-free lands.
Mahal	— the state of tributary king.
Mahaprasad	— holy food of Jagannath.
Malangi, Molunghee	— a manufacturer of salt.
Malikana	— allowances paid to a proprietor of an estate on his becoming recusant.
Math	— a religious institution resembling a monastery or abbey.
Mahant	— the head of a math.
Mauza	— a village or a group of villages.
Mofussil	— the villages in general.
Maktab	— an indigenous school where the elements of Arabic, Persian and Urdu literature were taught.
Mahajan	— money-lender.
Mahajani	— money-lending, affairs of Mahajan.
Mogulbandi, Mughalbandi	— a long strip of cultivated land lying between hill tracts and sea.
Meli	— disturbance.
Melia	— a rebel.
Mahrir, Muharrir	— a clerk, a scribe.
Maji	— head of the santhals.
Munsiff, Munsif	— a judge in the civil court.
Mukadam	— the head man of a village recognised as a proprietary tenure-holder or subordinate proprietor in the settlement of 1837.
Moshaira	— an allowance paid by the British Government to the Zamindars for their loss of rights to manufacture salt.
Maharaja, Maharajah	— the king.
Nisi-baziaftidar	— a holder of resumed rent-free lands.
Nazarkut	— ascertained by eye and guess.

Nij-chas	— self-cultivated land or self-cultivation.
Patrani	— the chief-queen.
Pahi	— non-resident.
Parcha	— an abbreviated khatian.
Pursethi	— a purchaser or recipient of proprietary rights in small plots of lands from the zamindars or Mukadams.
Patta	— a document given by the Collector to the Zamindar, or by some other receiver of revenue to the cultivator or under-tenant, specifying the conditions on which the lands are held, and the value or proportion of the produce to be paid to the authority or person from whom the lands are held.
Paik	— the paiks constituted a local militia holding the lands of the military chiefs or Khandayats by tenure of military service. A class of rural police employed in miscellaneous duties, such as, holding the road outposts and acting as messengers or escorts was also called paiks.
Panga, Pangah	— boiled salt.
Padhan	— a village headman recognised as a proprietary tenure-holder in the settlement of 1837.
Peshkas	— tribute, quit-rent.
Peshkasy Mahal	— a mahal or state paying peshkas to the British Government.
Pargana, Pergunnah	— a tract of the country comprising many villages ; name of a fiscal division of the Mughals and Marathas which was also retained by the British.
Parwana	— an order, a written command, a letter from a man in power to a dependant.
Pandit	— a teacher in the pathshala or primary school or tol, having ability to teach sanskrit, a rank superior to guru or abadhan.
Pathshala	— an indigenous primary school.
Patwari	— a village accountant.
Panikwari	— fees paid by the villagers voluntarily to supplement the income derived by the chaukidars from the jagirs.
Panchayat	— a committee consisting of 3 to 5 villagers elected by the villagers or selected by the Magistrate, for the management of villages.
Phulbibahi, Phoolbibahee	— a kept of the king.
Pachees Sawal	— a set of 25 questions mainly on the Garjat law of inheritance which were popularly propounded by the Superintendent of Tributary Mahals in 1814 and replied by all the chiefs.
Ryot, Raiyat	— cultivator, a farmer, a peasant.
Ryoti	— pertaining to ryot.

Ryotwari	— according to or with ryots, applied to revenue settlement.
Rawana	— a pass-port, a pass, a certificate from a Collector of customs authorising goods to pass without payment of further duty.
Rajwara	— the hill tracts of Orissa ruled by semi-independent kings.
Raja, Rajah	— the king.
Rani	— the queen.
Sadar, Sudder	— the chief seat of Government, principal town.
Sadar jama	— the sum total of revenue payable to the Government exclusive of the charges of collection etc.
Samiti	— an association.
Sanad	— a grant, a charter, a patent ; a document conveying to an individual emoluments, titles, privileges, offices, etc., under the seal of ruling authority.
Santhali	— the language of a tribal people called Santhals.
Subadar	— the Governor of a province, a Viceroy under the Mughal and Maratha Government.
Sarbarakar	— a minor revenue official recognised as a proprietary tenure-holder or subordinate proprietor in the settlement of 1837.
Shikmi Zamindar	— a purchaser or recipient of proprietary rights in small plots of land from the Zamindar.
Sardar, Sirdar	— a head of some villages or tribal people.
Subhankari	— a kind of indigenous mathematics.
Sati	— the burning of the widow on the funeral pyre of the husband.
Sadar Amin	— a judge in the civil court.
Talukdar	— a proprietor of an estate called taluk under the Maratha Government. His proprietary right was also recognised by the early British Settlements.
Tol	— an indigenous institution for the persecution of Sanskrit studies.
Telingah, Telinghee	— he whose mother-tongue was Telugu.
Tuccavee	— a kind of loan given to the cultivators by the Government.
Tankidar	— a holder of small areas permanently assessed at a quit-rent.
Thani	— resident.
Talab chitti	— a letter of warning.

Urees — statement.

Zamindar — a landlord ; a proprietor directly responsible to the state for the revenue of the land he possesses.

Zamindari — the office and rights of a Zamindar ; the tract of land constituting the possessions of a Zamindar.

Zilla — district.

Zanana — a lady.

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